



Exeter City Council

To the Chair and Members
of the Planning Committee

Please ask for: Sarah Selway

Direct Dial: 01392 265275

Email: sarah.selway@exeter.gov.uk

Our ref:

Your ref:

A meeting of the **PLANNING COMMITTEE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **MONDAY 23RD JULY 2012** to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Sarah Selway, Member Services Officer on **Exeter 265275**.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

A G E N D A

Part I: Items suggested for discussion with the press and public present

1 **APOLOGIES**

To receive apologies for absence from Committee members.

2 **MINUTES**

To sign the minutes of the meetings held on 16 April 2012, 21 May 2012 and 25 June 2012.

3 **DECLARATIONS OF INTEREST**

Councillors are reminded of the need to declare personal and prejudicial interests, including the nature and extent of such interests, in relation to business on the agenda, before any discussion takes place on the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

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Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Member Services Officer).

- 5 **PLANNING APPLICATION NO.12/0327/03 & LISTED BUILDING CONSENT
NO.12/0328/07 - MAGNOLIA HOUSE AND ACACIA HOUSE, FRIARS GREEN,
EXETER, EX2 4DB**
- To consider the report of the Assistant Director City Development. 1 - 10
- (Report circulated)
- 6 **PLANNING APPLICATION NO.12/0605/03 & LISTED BUILDING CONSENT
NO.12/0606/07 - SOUTHLANDS, FORE STREET, HEAVITREE, EXETER, EX1**
- To consider the report of the Assistant Director City Development. 11 - 16
- (Report circulated)
- 7 **PLANNING APPLICATION NO.12/0806/01 - PILTON HOUSE, PILTON LANE,
EXETER, EX1 3RA**
- To consider the report of the Assistant Director City Development. 17 - 22
- (Report circulated)
- 8 **PLANNING APPLICATION NO.11/2018/03 - FORMER EXETER AND
MIDDLEMOOR SERVICE STATION, RYDON LANE, EXETER, EX2**
- To consider the report of the Assistant Director City Development. 23 - 30
- (Report circulated)
- 9 **PLANNING APPLICATION NO.12/0922/03 & LISTED BUILDING CONSENT
NO. 12/0923/07 - 15 REGENTS PARK, EXETER, EX1 2NT**
- To consider the report of the Assistant Director City Development. 31 - 34
- (Report circulated)
- 10 **BUILDINGS AT RISK**
- To consider the report of the Assistant Director City Development 35 - 38
- (Report circulated)

11 **PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND
WITHDRAWN APPLICATIONS**

To consider the report of the Assistant Director City Development.

39 - 62

(Report circulated)

12 **ENFORCEMENT PROGRESS REPORT**

To consider the report of the Assistant Director City Development.

63 - 64

(Report circulated)

13 **APPEALS REPORT**

To consider the report of the Assistant Director City Development.

65 - 74

(Report circulated)

14 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 21 August 2012 at 9.30 a.m. The Councillors attending will be Lyons, Winterbottom and another Member to be agreed at the meeting.

DATE OF NEXT MEETING

The next scheduled meeting of the Planning Committee will be held on
Monday 3 September 2012 5.30 pm. in the Civic Centre.

Membership -

Councillors Bialyk (Chair), Lyons (Deputy Chair), Denham, Donovan, Edwards, Mrs Henson, Mitchell, Morris, Owen, Prowse, Spackman, Sutton and Winterbottom

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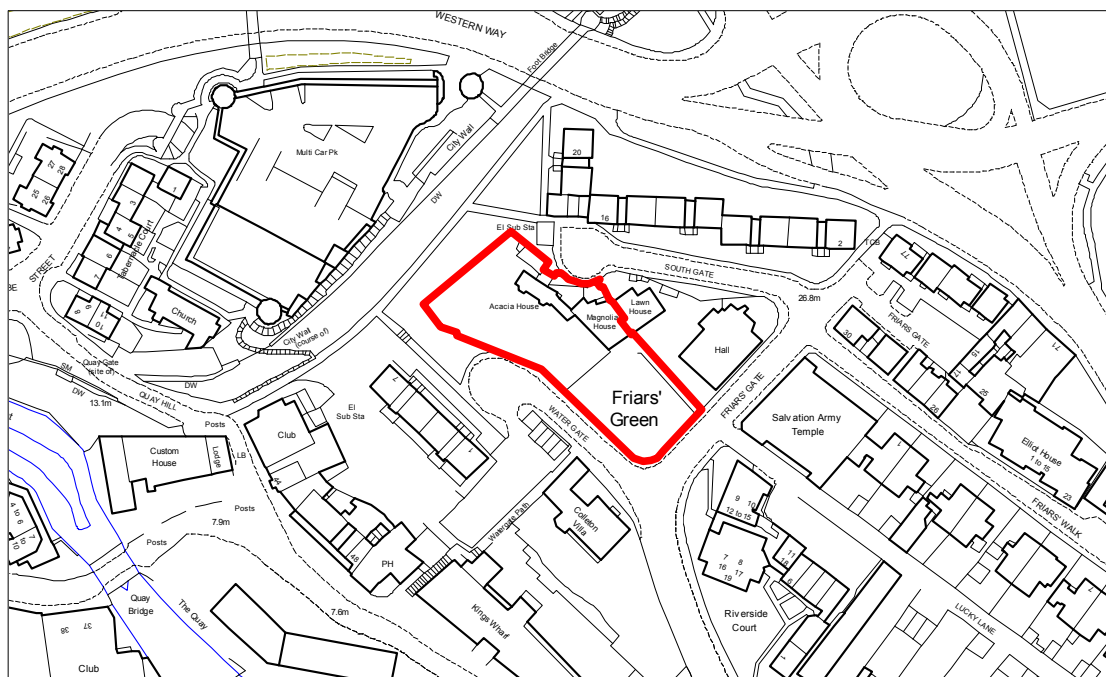
Agenda Item 5

ITEM NO. 5 **COMMITTEE DATE:** 23/07/2012

APPLICATION NO: 12/0327/03 **FULL PLANNING PERMISSION**
APPLICANT: Mr G Stead
PROPOSAL: Venture Property & Development Company Limited
Sub division of two existing dwellings to create three new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage.
LOCATION: Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB
REGISTRATION DATE: 28/02/2012
EXPIRY DATE: 24/04/2012

ITEM NO. 5 **COMMITTEE DATE:** 23/07/2012

APPLICATION NO: 12/0328/07 **LISTED BUILDING CONSENT**
APPLICANT: Mr G Stead
PROPOSAL: Venture Property & Development Company Limited
Sub division of two existing dwellings to create three new dwellings with associated internal and external works, construction of two new dwellings to south east corner of site, new access road, parking and bin storage.
LOCATION: Magnolia House and Acacia House, Friars Green, Exeter, EX2 4DB
REGISTRATION DATE: 28/02/2012
EXPIRY DATE: 24/04/2012



Scale 1:2000

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HISTORY OF SITE

The site has been the subject of two previous planning and listed building applications for a new single dwelling (11/1607/03 & 11/1608/07) and the subdivision of the two existing

dwelling into four new units and the construction of two new dwellings (11/1605/03 & 11/1606/07). All four of these applications were withdrawn following discussions between the case officer and the applicant.

DESCRIPTION OF SITE/PROPOSAL

The applications were deferred from the previous Planning Committee to enable Members to visit the site. This site inspection meeting took place on 10 July. This report replicates and updates the one presented to Members on 25 June.

Acacia House and Magnolia House are located on the corner of Friars Gate and Water Gate and backs onto South Gate. Acacia House is a two storey red brick double fronted property which was constructed in the late 18th century/early 19th century. Magnolia House is a two storey irregularly spaced building constructed in the 18th century, although it is believed that this building has an earlier core probably built in the 17th century. Both these buildings are Grade II listed and sit within spacious grounds in an elevated position in the Southernhay and Friars Conservation Area.

The planning and listed building applications propose to subdivide and extend Acacia House and Magnolia House to create three self contained dwellings and build an additional two dwellings to be located on the junction of Friars Gate and Water Gate. The overall development of five dwellings would be served by five car parking spaces accessed from a newly formed vehicular access road from Friars Gate which will replace the existing pedestrian access.

Plot 1 consists of the renovation and extension of part of Acacia House. This unit would be created by the retention of the double fronted element of the existing property combined with an existing store to the rear by a new extension. The resultant property would have a lounge and bedroom accessed from the existing centrally positioned hallway at ground floor with new kitchen, dining room and family room created to the rear to replace the current store. The new building would have a timber and glazed elevation with a shallow sloping roof. The first floor would have two further bedrooms and a bathroom. The remainder of Acacia House would be refurbished including the restoration of the existing timber windows. The garden area is located to the front of the site and extends to 525 sq metres.

Plot 2 is created from the incorporation of the existing extension for Acacia House and part of Magnolia House. This unit would require a rear two storey extension which would be constructed of render with a slate roof. This unit would require the conversion of a former kitchen to create an entrance hall leading to a lounge/dining room, stairway with the kitchen contained within part of the existing Magnolia House. The proposed lounge would have access to a small north facing courtyard to the rear. The first floor would have two bedrooms and a bathroom. The south facing amenity space for this unit is stated as being 96 sq metres.

Plot 3 is essentially a restoration of the existing Magnolia House, albeit with reduced floor space given the incorporation of some floor area to Plot 2. This unit would comprise a study, kitchen and living room on the ground floor with additional living room upstairs in addition to two bedrooms and a bathroom at first floor level. An additional small room, indicated as a bedroom, is proposed within the loft space. The floor plan essentially follows the arrangement of the existing property. The amenity space for this unit is stated as being 140 sq metres contained behind a new 1.5 metre high rendered wall.

Plot 4 & 5 are new buildings to be sited on the corner of Friars Gate and Water Gate. This pair of semi detached properties would be faced with render, with slate roofs. These properties would be staggered in height to address the changes in ground level present in this location and offset in relation to the road frontage. The buildings would comprise of a lounge, kitchen/dining room and wc on ground floor with two bedrooms, one with en suite and a bathroom at first floor with a third bedroom contained within the roof space and served

by a rear dormer window, These dwellings would have a rear garden amenity provision of approximately 75 sq metres contained behind a new rendered wall.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Design and Access Statement, Planning, Heritage Statement and Archaeological Report have been submitted with the application.

REPRESENTATIONS

Combined total of 26 letters/emails including one from the Civic Society of objection received for the planning and listed building applications. The total of number of complainants is 11. Principal concerns relate to:-

1. Overdevelopment of site, creating too high a density for the area;
2. Loss of existing garden space;
3. Development out of character within the conservation area;
4. Development detrimental to the setting of the listed buildings;
5. New dwellings design out of character within street scene given its prominent corner location;
6. Design of new units lack detail and would diminish quality of the conservation area;
7. Scale, massing, siting and height of new buildings would compromise the open appearance of this corner site and wider views;
8. Visible rear elevation of new building inappropriate in both style and materials;
9. Inadequate parking provision;
10. Parking court highly visible and visually detrimental to the surrounding area;
11. Proposed boundary treatment out of character with the area;
12. Opposition to the principle of subdivision of the existing listed building;
13. Proposed changes to the listed building detrimental to their character and appearance;
14. Poor proposed internal layout within the listed building's subdivision;
15. Lack of supporting detail in respect of the listed building

CONSULTATIONS

English Heritage comment that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

The RSPB comment that the new dwellings offer the opportunity for swift boxes and recommend the gardens to be planted with native species to enhance biodiversity. In addition, an investigation will be require to establish whether there is evidence of roosting bats or nesting birds within the existing building.

The Assistant Director Housing and Contracts comments on the need for affordable housing given the number of new dwellings proposed is three.

The Executive Director of Environment, Economy and Culture comments that the proposed access to Friars Gate is acceptable from a highway view, and the on site parking facilities are appropriate for this location. To accommodate the access, it is necessary to amend the residents/time-limited Traffic Order that controls on-street parking on the site frontage at a cost of £3000. The applicant is advised that he will be responsible for making the application and the cost of amending the Traffic Order, which must be made before the commencement of the construction of the proposed access. A condition is recommended to secure the provision of the access and on-site parking before the occupation of any residential unit.

The Assistant Director Environment comments that a condition should be imposed to control the hours of construction and demolition.

PLANNING POLICIES/POLICY GUIDANCE

National Planning Policy Framework: Sections 7 & 12

Exeter Local Development Framework Core Strategy

CP4 - Density

CP7 - Affordable Housing

CP16 - Protected Sites and Species

CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

Exeter Local Plan First Review 1995-2011

H1 - Search Sequence

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

C1 - Conservation Areas

C2 - Listed Buildings

C5 - Archaeology

H6 - Affordable Housing

Exeter City Council Supplementary Planning Document: Residential Guide.

OBSERVATIONS

The site is located within the Southernhay Conservation Area and relates in part to the alteration and extension of two Grade II listed buildings in addition to the provision of two new dwellings. Consequently Section 7 and 12 of the National Planning Policy Framework (NPPF) are of particular relevance. Paragraph 131, for example, states that *'In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.'* The assessment of this scheme can be considered in two fundamental but interlinked ways; the appropriateness of the conversion and extension of the existing listed buildings and the appropriateness and effect of the new development on the setting of the listed buildings and the character and appearance of the conservation area.

The originally submitted scheme indicated a total of four units within the existing buildings of Acacia House and Magnolia House. It was considered that the attempt to create four units would have a damaging impact on the historic fabric of these listed buildings. In particular, the subdivision of the double fronted Acacia House into separate units was deemed unacceptable and therefore a reduction in the number of units to three was considered more appropriate. This reduction has addressed some of the previous concerns from objectors and it was recognised that improvements in this respect have been made. However following reconsultation the objectors are still concerned about the works proposed to the listed buildings. Notwithstanding the objectors continued concerns it is considered that the proposed works would result in an overall improvement to these listed buildings and would have minimal changes to the front elevation and therefore are to be welcomed. This view is supported by the Conservation Officer. The scheme does require significant conversion of an existing store building to the rear of Plot 1 into living accommodation and a rear two storey

extension to Plot 2 to make the internal arrangements useable for the three units. However these adaptations and extensions are considered sympathetic in form, scale and design and therefore appropriate in this instance. Whilst objections have been received in respect of the use of timber to the rear of Plot 1, subject to appropriate detailing, the contrast between the existing and new building is considered acceptable.

Acacia House and Magnolia House benefit from large south facing gardens with an open aspect. These gardens, whilst they are attractive and add to the character of the area, are significantly larger than other gardens in the immediate vicinity. Given that this is an important feature of the listed buildings, it is important that this open setting is preserved. Indeed a previous application which proposed a new dwelling within the western corner of the site was withdrawn, as it was considered that the setting of the listed buildings would be compromised. The proposed scheme now indicates a largely open plan layout for the gardens of each of the three units proposed within the conversion of Acacia House and Magnolia House. Each of these properties would have a 1.5 metres high rendered wall to create a small area of courtyard immediately adjacent to the properties for privacy purposes. This approach is considered appropriate as the open space in this location would largely be retained. Whilst local residents have commented on the type and material of boundary treatment, this could be covered by condition. The submitted plans indicate substantial garden areas which significantly exceed the requirements of the Residential Guide SPD and it is considered the open character of large gardens serving these buildings properties would therefore be maintained.

In summary, it is considered that the subdivision of Acacia House and Magnolia House to create three units is acceptable, with the adaptations made to the internal layout and extension requirements sympathetic to the historic fabric of the building. The retention of the largely open landscaped front gardens would maintain the open character of these properties and accordingly the setting of the listed buildings would be maintained. It is noted that the boundary wall requires significant attention and the introduction of railings would need to be sensitively designed given its prominent elevated position. However it is considered that this could be achieved through the imposition of a condition.

The most significant objections to the scheme have been in respect of the proposed new dwellings. The site currently offers limited views of the listed buildings from Friars Gate given that these buildings are set back from the road. Accordingly this corner plot appears open in character in this location. Local residents and objectors have commented that this open aspect is integral to the character and appearance of the street scene and consequently the conservation area. Therefore objectors have stated that any new building in this location would, in principle, be unacceptable. Whilst negative comments have been received regarding the design of the new dwelling, the overall objection would be to any style of property in this location. In particular, comments have been made about the detrimental impact the dwellings would have given their elevated and prominent siting when seen from both Friars Gate and the pedestrian access to/from the Quay.

It is accepted that the construction of the two new dwellings on this corner site will represent a significant change to the street scene. However the fact that the area is currently open in character does not preclude new development from being acceptable. In this instance, the key issue is the impact the new buildings will have on the character and appearance of the conservation area, as the siting of the new dwellings will have no detrimental impact on existing residential amenity in the area. It is considered that the new dwellings would provide a continuation and strengthening of the street scene in this location which would reflect rather than conflict with the existing character of the area. The established area is characterised by buildings built up or close to the highway frontage and in the case of Cygnet Theatre and the Salvation Army Temple significantly greater in height. The applicant has submitted sectional drawings which indicate the height and position of the new dwellings in relation to the existing building and importantly show the site's elevated position. It is therefore considered that principle of new dwellings would be appropriate in this location and would not compromise the character and appearance of the conservation area. The setting

of the listed buildings would not be unduly affected by these properties, given the siting of the new dwellings to the front of the site.

National and Local guidance is provided in both the NPPF and the Exeter Core Strategy in respect of assessment of this type of development. Whilst the objectors' comments that the open character will be lost are noted, it is not considered that substantial harm would result for the reasons provided above. Indeed paragraph 134 of the NPPF states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*. It is considered that given the size of the existing site and its sustainable location being so close to the city centre, the proposal would represent an appropriate form of housing density which would not compromise the conservation area. The Exeter Core Strategy Policy CP4 also supports this approach, stating that *'residential development should achieve the highest appropriate density compatible with the protection of heritage assets, local amenities, the character and quality of the local environment and the safety and convenience of the local and trunk road network'*. Accordingly it is considered that the principle of new dwellings in this location is acceptable.

Since the originally submitted application, the overall appearance of the dwellings has been changed from a contemporary approach incorporating a flat roofed design to a more traditional design with a pitched slate roof. It is considered that these types of dwelling are more appropriate given the sensitive location and significant number of listed buildings in the vicinity. The elevational treatment including render and slate with the traditionally proportioned window openings are considered acceptable in this location and will be complementary to the existing buildings in the area. It is recognised that the site's elevated position will enable views of these new buildings including the rear elevations from several vantage points. However it is considered that the overall design is acceptable. The conservation officer supports the proposal stating that the scale, design and materials are subservient to the surrounding listed building. Further comment is made that given the scale of the surrounding buildings, any smaller and the dwellings could appear diminutive and apologetic, which would not create strong townscape. The internal layout and garden provision comply with the Residential Guide Supplementary Planning Document and therefore offer a suitable level of accommodation which, if necessary, can be adapted and meet the changing requirements of future occupants. The imposition of suitable conditions will enable specific control over detailed elements of the scheme.

The creation of a new access road and the provision of five car parking and cycle storage within the site are deemed appropriate by the County Highway officer subject to conditions and a financial contribution towards a new Traffic Order in the area. The location of the parking court behind the new dwellings will reduce its visual impact when seen from the road. In addition, the creation of new boundary walls to enclose the converted properties gardens will effectively screen this area from the listed building and accordingly this arrangement is considered acceptable. It is noted that the parking areas alongside the boundary wall would potentially be highly visible and therefore careful treatment of the proposed railings and landscaping would be needed to maintain the visual character and appearance of the area. This boundary treatment can be controlled by condition.

Given the overall residential development exceeds three units, there is a requirement for an affordable housing contribution. The applicant has been in discussion with the Housing Services to establish an appropriate level of financial contribution for affordable housing for this site. This figure along with a contribution towards Natura 2000 and a contribution towards a traffic order in the area will be incorporated within the Section 106 Agreement.

In conclusion, it is considered that the proposal would result in the refurbishment of two listed buildings, which is to be welcomed. In addition, the two new dwellings have been assessed in terms of their compatibility in respect of elevational treatment, height, scale, form and massing within the conservation area and considered to be appropriate. Accordingly subject to the completion of the Section 106 Agreement this application should be approved.

WESTERN AREA WORKING PARTY

6 June 2012 - Members were made aware of the changes made since the original submission which have seen a reduction in the number of units within the converted listed buildings to three, and changes to the design of the new dwellings. Members considered that the conversion element of the scheme was acceptable subject to detailed consideration. However given the significant number of objection responses in respect of the new buildings, it was agreed that a site inspection should be carried to assess the design and height of the new building and the relationship of the new structures to the surrounding area due to its elevated position.

SITE INSPECTION PANEL

12 June 2012 - Members visited the site from within the grounds of the Acacia and Magnolia House and the surrounding highways. It was noted that the site was elevated from the surrounding road and the site was enclosed by a series of hedges and fences which required attention in the short term due to their negative impact on the character of the area. It was also noted that the significant work would be required to the substantial wall which lies to the west and south of the site. It was considered that the existing building had the potential to be attractive properties and works to refurbish them was to be welcomed. In addition, it was considered that the principle of the new dwellings would be acceptable although it was recognised that given the sensitive location in the conservation area and elevated corner site, considerable care would be required to achieve an acceptable scheme. If the application was approved a specific condition regarding boundary treatment to hide the parking area would be required.

10 July 2012 - Members from the Planning Committee visited the site along with planning officers and the conservation officer. Members viewed the site from the surrounding roads and public vantage points and from within the existing front gardens of Magnolia House and Acacia House. In particular, consideration was given in respect of the relationship between the proposed new dwellings, existing listed buildings, the conservation area setting and the wider views across the valley park and beyond.

RECOMMENDATION

Subject to the imposition of suitable conditions and the completion of a Section 106 Agreement in respect of affordable housing financial contribution, Traffic Order financial contribution (£3,000) and a financial contribution to Natura 2000 of £1,050 (3 units x £350) the application should be **APPROVED**.

In the event that the Section 106 Agreement is not completed within 3 months of the date of this committee meeting, authority be delegated to the Assistant Director, City Development to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within the Section 106 Agreement.

APPROVE application 12/0327/03 subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on April 2012 (dwg nos. D009/11/SP11.0.F; D009/11/TB11E & D009/11/MA) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) No development shall take place until full details of all screen walls, railings or fences including height, design and materials to be used has been submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details thereafter.
Reason: In the interests of the visual appearance of the conservation area.
- 7) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) windows to include materials, means of opening, reveals, cills and headers;
 - b) external doors;
 - c) rainwater goods;
 - d) lighting;
 - e) parking area surfacing;
 - f) refuse storage;
 - g) swift box locations.**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 8) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of the proposed cycle parking facilities. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to first occupation of the development, the cycle parking shall be provided in accordance with the approved details.
Reason: To encourage use of cycling as a sustainable mode of transport, in accordance with Local Plan policy T3.
- 9) No part of the development hereby approved shall be commenced until a construction statement, to include details of:
 - a) parking and vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of planting and materials;
 - c) storage of plant and materials;
 - d) programme of works to include measures for traffic management;
 - e) vehicle washdown measures and facilities; and
 - f) provision of boundary hoarding
 has been submitted to, agreed and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the agreed details throughout the development period.
Reason: In the interests of public safety and to ensure that adequate on-site facilities are available throughout the development period.
- 10) No construction work shall not take place outside the following times: 8 am to 6pm Monday to Fridays, 8am to 1 pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 11) No part of the development hereby approved shall be occupied or brought into its intended use until the access, parking spaces, turning area and access drainage have been marked out, provided and maintained in accordance with details that shall have been submitted to, agreed and approved in writing by, the Local Planning Authority and those facilities shall be retained for the benefit of the development at all times thereafter.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 12) No development shall commence until details stating the time frame for works to the listed buildings have been submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that work is carried out to the listed building before or in association with the new dwellings.

- 13) C57 - Archaeological Recording

- 14) C61 - Approval of Foundation Details

- 15) No development shall commence until a specific schedule of works for the listed buildings and boundary wall, in particular specifying the treatment of specific historic features and fabric have been submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that works carried out to the listed building and boundary wall are appropriate given their historic importance.

- 16) No part of the development hereby approved shall be occupied until the access to Friars Gate access drive and on site parking facilities have been provided, surfaced and marked out in accordance with the requirements of this permission and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 17) C23 - Permitted Development Restriction

- 18) The two new build dwellings permitted hereby shall not be occupied or otherwise brought into use until all works to the listed buildings have been completed to the satisfaction of the Local Planning Authority and the three dwellings within the listed buildings are ready for occupation.

Reason: To ensure that work is carried out to the listed buildings before or in association with the new dwellings.

APPROVE application 12/0328/07 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on April 2012 (dwg nos. D009/11/SP11.0.F; D009/11/TB11E & D009/11/MA) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) C17 - Submission of Materials

- 4) No development shall take place until full details of all screen walls, railings or fences including height, design and materials to be used has been submitted to and approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details thereafter.

Reason: In the interests of the visual appearance of the conservation area.

- 5) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) windows to include materials, means of opening, reveals, cills and headers;
 - b) external doors;
 - c) rainwater goods;
 - d) lighting;
 - e) parking area surfacing;
 - f) refuse storage;
 - g) swift box locations.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 6) No development shall commence until details stating the time frame for works to the listed buildings have been submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that work is carried out to the listed building before or in association with the new dwellings.
- 7) C57 - Archaeological Recording
- 8) C61 - Approval of Foundation Details
- 9) No development shall commence until a specific schedule of works for the listed buildings and boundary wall, in particular specifying the treatment of specific historic features and fabric have been submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that works carried out to the listed building and boundary wall are appropriate given their historic importance.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

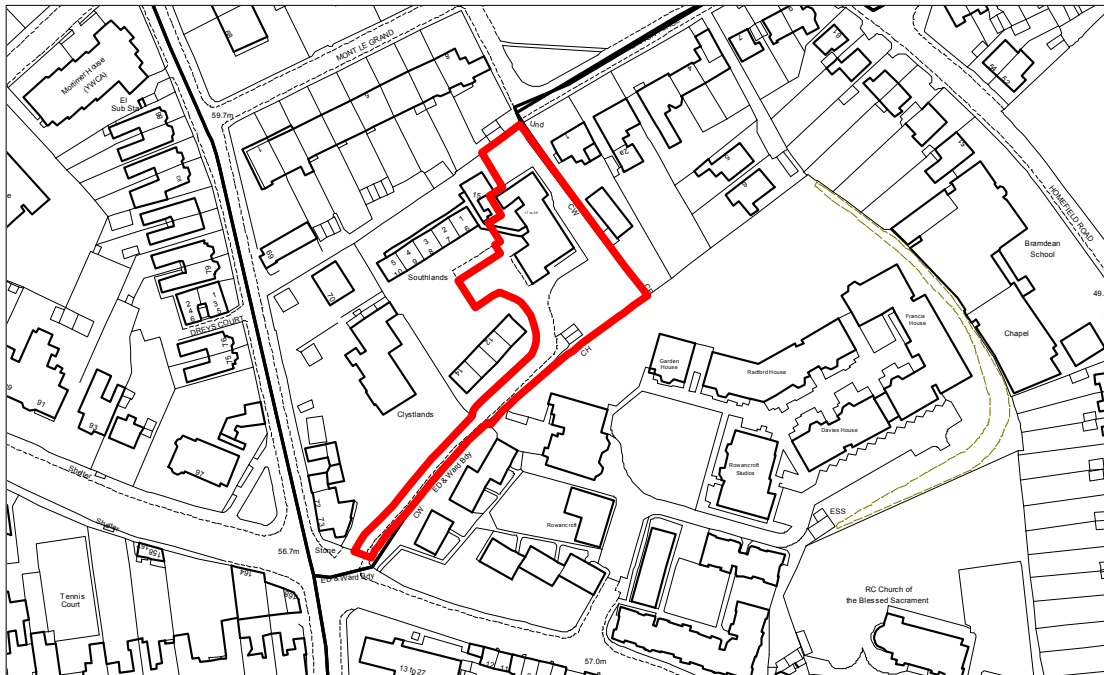
Agenda Item 6

ITEM NO. 6 **COMMITTEE DATE:** 23/07/2012

APPLICATION NO: 12/0605/03 **FULL PLANNING PERMISSION**
APPLICANT: Mr J Jenner
PROPOSAL: Ground floor extension on the north west elevation and two storey extension on the north east elevation creating two additional flats.
LOCATION: Southlands, Fore Street, Heavitree, Exeter, EX1
REGISTRATION DATE: 11/05/2012
EXPIRY DATE: 06/07/2012

ITEM NO. 6 **COMMITTEE DATE:** 23/07/2012

APPLICATION NO: 12/0606/07 **LISTED BUILDING CONSENT**
APPLICANT: Mr J Jenner
PROPOSAL: Ground floor extension on the north west elevation, two storey extension on the north east elevation creating two additional flats and associated works.
LOCATION: Southlands, Fore Street, Heavitree, Exeter, EX1
REGISTRATION DATE: 11/05/2012
EXPIRY DATE: 06/07/2012



Scale 1:2500

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HISTORY OF SITE

91/0647/03 -	Change of use to six flats		26/11/1991
09/1187/03 -	Four terraced dwellings, parking and landscaping in garden area of Southlands House	REF	23/11/2009
11/0962/17 -	Change of use from residential dwelling to ten residential flats (Certificate of lawfulness for existing use)	WLU	18/08/2011
11/1137/07 -	Internal alterations to create ten residential flats	PER	12/10/2011

DESCRIPTION OF SITE/PROPOSAL

Development during the mid 20th century comprising single and two storey development within the grounds of the building has had a negative impact on the setting of Southlands. As a result, the Mont Le Grand Conservation Area Appraisal and Management Plan, within which the building lies, identifies the main building as making a positive contribution to the conservation area but the flats and bungalows within the grounds as making a negative contribution.

Southlands is a Grade II listed building designed with its neighbour (Clystlands) as a detached house set in secluded gardens. Tall walls and mature trees together with the private driveway provides a barrier to the busy Polsloe Road and Fore Street. To the north of Southlands lies the Grade II Listed properties of 1 to 8 Mont Le Grand and to the east the Grade II Listed Bicton Place. No 8 Mont Le Grand and No. 1 Bicton Place are the closest neighbouring properties likely to be affected by the proposed development.

The existing building comprises 10 self contained flats (1 'studio' flat, 8 one bed flats and 1 two bed flat). The proposed extension comprises 2 three bed flats (one at ground floor and one at first floor) on the north and east elevations. A single storey extension and internal alterations are proposed which increase the size of two existing flats. The total number of flats will remain the same.

The white rendered single and two storey extension is designed to be subservient to the existing building. Horizontal banding and parapets mirror the main building as do the window proportions. Largely concealed from view the hipped slate roofs follow the pattern of the existing roofs as will the concealed lead parapet gutters.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement: detailing the building historic development of the building to the present day including the proposed works and impact on neighbouring properties.

Heritage Statement: detailing the existing building, former occupiers and the current proposals.

REPRESENTATIONS

7 letters of objection:

- the proposal does not comply with planning policy
- loss of amenity to neighbouring properties
- loss of amenity associated with the proposed student accommodation
- the proposal does not preserve or enhance the quality and character of the conservation area
- the proposal would have an adverse impact on the setting of neighbouring listed buildings
- adding bulk to the already substantial property is not in keeping with the conservation area
- loss of green space and more scope for creating accommodation on the west elevation
- additional accommodation compounds the problems associated with the vehicular access.
- the proposal will introduce a min. of 6 extra cars into the site. This will increase the risk of accidents.

CONSULTATIONS

English Heritage: the application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.

Assistant Director Environment: recommends an hours of construction / demolition condition.

Highway Authority: Following submission of revised drawings which maintain the number of units the Highway Authority has no objection.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance: National Planning Policy Framework

Devon County Structure Plan 2001-2016
CO6 - Quality of New Development
CO7 - Historic Settlements and Buildings

Exeter Local Development Framework Core Strategy
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011
C1 - Conservation Areas
C2 - Listed Buildings
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity

Exeter City Council Supplementary Planning Documents
Householder's Guide to Extension Design (adopted 16 September 2008)
Mont Le Grand Conservation Area Appraisal and Management Plan (March 2009)

OBSERVATIONS

A two storey extension was added to the north east corner of the main building in the 1960's. As a flat roof addition it is not in keeping with the main dwelling. The proposal seeks to enclose this earlier extension within the one proposed. The scale, massing and detailed design of the proposal has been developed in discussion with the Conservation Officer, who considers it acceptable in principle.

The proposal does however have an impact on existing neighbours. Beyond the site boundary the proposed extension will have greatest impact on No. 1 Bicton Place. It will sit approx. 2.5m off the boundary adjacent to it and 6.6m away from the main house. This side elevation of No. 1 has a first floor bathroom window, which whilst overlooking the proposed extension, will not experience a significant loss of natural light or outlook. Windows within the east elevation of the proposed extension are confined to kitchen and bathroom accommodation and recessed back from the main elevation of the proposed extension by approx. 1.4m, setting them back approx. 8m from the side elevation of No. 1. As a result, it is not considered that the proposal creates loss of amenity sufficient to refuse the application. As regards to Mont Le Grand the minimum back to back distance of 22m is retained between the main dwellings and proposed extension. Concerns from neighbouring properties in Mont Le Grand relating to the overbearing height, bulk and positioning on the quality of their living space and outlook are not sufficient to justify refusal. The proposal will however have an impact on the elderly persons bungalow accommodation, especially numbers 15 & 16. The two storey extension will be located approximately 10m from bungalows 15 & 16 and the single storey extension approximately 4m.

Initially the scheme retained the existing number of units within the main building (10) with an additional two new units within the proposed extension. However, following this submission, detailed discussions have taken place with the applicant due to concerns relating to loss of living accommodation to existing flats that resulted in substandard units of accommodation and concerns relating to the increase in the number of vehicular movements associated with the increase in the number of units. As a result, revised drawings have been submitted which

do not now result in an increase in the number of units due to existing flats 19a and 19b being combined to provide one 2 bedroom flat (No. 19b) and Flats 18 and 17 being combined to provide one two bedroom flat (No. 17). As a consequence at ground floor there will be two 1 bed flats, two 2 bed flats and one 3 bed flat while at first floor there are three 1 bed flats and one 2 bed and one 3 bed flat. In terms of space standards and the amenity of occupants, the proposal broadly complies with the Council's Residential Design SPD.

These proposed amendments do require some minor internal alterations to the existing building in the form of new doorway openings, removal and insertion of stud walls. These changes will have limited impact on the character, appearance of the listed building and on any remaining internal historic details. The proposed works will also result in the removal of the existing unsightly external metal stair (being the main point of access to Flat No. 20). The Conservation Officer is content with the changes. However, the existing close board fence around the amenity space does not have consent and is not considered an acceptable means of enclosure within the grounds of a Listed Building.

It is important to assess the proposal in terms of its impact upon the character and appearance of the Listed Building and its setting and whilst the proposal will reduce the space around the building and the gap between the adjoining properties, the other benefits of the scheme, on balance, are considered to outweigh concerns in this respect.

The proposed additional car parking on the west elevation, outside the kitchen windows of both Flat 20 and 21, whilst not ideal, has limited impact on quality of the living accommodation within the units. To facilitate parking in this location an unsightly covered walkway will be removed as part of the works. This will greatly improve light and outlook to the flats to the improvement of the living accommodation.

As a building providing accommodation for flats, communal open space is required. The applicants have confirmed that the lawn on the front, south facing elevation, of the building will be available to the residents for their own private use. This and the remaining areas on the north and east elevations provide a generous level of amenity provision in excess of that recommended through the Residential Design SPD.

Area Working Party 3 July 2012.

Members requested a site inspection (scheduled for 10.07.12) and for the proposal to be presented before Planning Committee (scheduled for 23.07.12).

SITE INSPECTION PANEL

Flats 19a, 19b, 18 and 17 which are to be amalgamated to form 2 flats as part of the proposal were inspected internally. The relationship between the proposed extension and existing surrounding properties was also examined. Members expressed reservations about the relationship to no.1 Bicton Place and the existing flats alongside Southlands in terms of massing, privacy light and outlook. Concern was also expressed that the extension would result in loss of amenity space surrounding the building. Members noted the application would be determined by Planning Committee.

RECOMMENDATION

APPROVE application 12/0605/03 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 26 April 2012 (*dwg. no(s). D1142 111; D1142 125; D1142 131; D1142 132; D1142*

133), and on 11 May 2012 (dwg. no(s). D1142 141 A; D1142 142 A; D1142 151; D1142 152;), and on 25 June 2012 (dwg. no(s). D1142 121 A; D1142 122 A; D1142 127 A; D1142 127 COL A; D1142 128 A) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing to the Local Planning Authority and the cycle parking shall be maintained thereafter.

Reason: to ensure that cycle parking is provided to encourage travel by sustainable means in accordance with Local Plan Policy T3.

- 4) Notwithstanding condition no (2), no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority relating to:

(i) The windows including sizes, opening methods and glazing bar details;
(ii) External materials including render colour and type
and the development shall thereafter be implemented in accordance with such details.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

- 5) Sample(s) of the roofing slate that it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

- 6) The flats within the extension hereby approved shall not be occupied until the other works described in the application to reduce the number of existing flats from ten to eight have been completed in accordance with the approved plans, as modified by other conditions of this consent.

Reason: To ensure that the development achieves wider improvements to the building which preserve an acceptable standard of living accommodation for existing residents and to ensure that the overall number of flats is limited to ten.

APPROVE application 12/0606/07 subject to the following conditions:

- 1) C08 - Time Limit - L.B. and Conservation Area
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 26 April 2012 (dwg. no(s). D1142 111; D1142 125; D1142 131; D1142 132; D1142 133), and on 11 May 2012 (dwg. no(s). D1142 141 A; D1142 142 A; D1142 151; D1142 152;), and on 25 June 2012 (dwg. no(s). D1142 121 A; D1142 122 A; D1142 127 A; D1142 127 COL A; D1142 128 A) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 3) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing to the Local Planning Authority and the cycle parking shall be maintained thereafter.

Reason: to ensure that cycle parking is provided to encourage travel by sustainable

means in accordance with Local Plan Policy T3.

- 4) Notwithstanding condition no (2), no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority relating to:
 - (i) The windows including sizes, opening methods and glazing bar details.;
 - (ii) External materials including render colour and type;and the development shall thereafter be implemented in accordance with such details.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

- 5) Sample(s) of the roofing slate that it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.

- 6) The flats within the extension hereby approved shall not be occupied until the other works described in the application to reduce the number of existing flats from ten to eight have been completed in accordance with the approved plans, as modified by other conditions of this consent.
Reason: To ensure that the development achieves wider improvements to the building which preserve an acceptable standard of living accommodation for existing residents and to ensure that the overall number of flats is limited to ten.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre,
Civic Centre, Paris Street, Exeter: Telephone 01392 265223

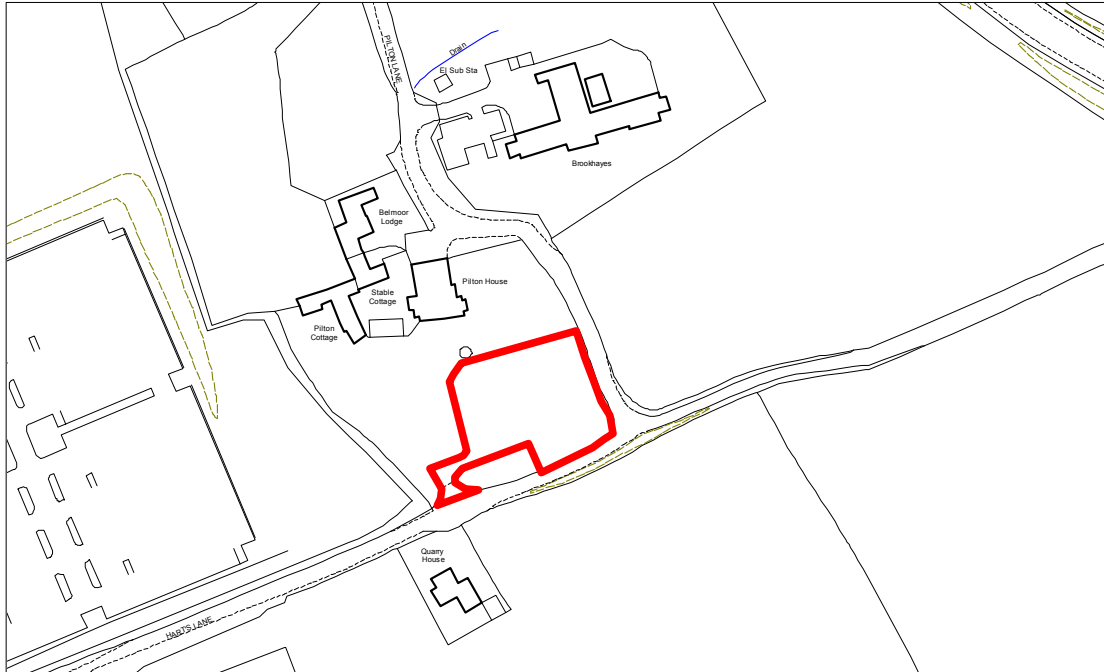
Agenda Item 7

ITEM NO. 7

COMMITTEE DATE: 23/07/2012

APPLICATION NO: 12/0806/01 **OUTLINE PLANNING PERMISSION**
APPLICANT: Mr B Kaye & Miss J Warren
PROPOSAL: Two detached dwellings (All matters reserved for future consideration)

LOCATION: Pilton House, Pilton Lane, Exeter, EX1
REGISTRATION DATE: 30/05/2012
EXPIRY DATE: 25/07/2012



Scale 1:2500

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DESCRIPTION OF SITE/PROPOSAL

The site is a rectangular area of land covering approximately 0.17ha. It is mainly laid to grass, and forms an extended garden area to Pilton House, which is to the north. A line of dense conifer trees separate the site from the more formal garden area around Pilton House. These trees mark the northern boundary of the application site. The southern boundary of the site follows the line of Harts Lane. This boundary is also marked by a line of dense trees, which are mostly conifers. Towards the site entrance, in the south west corner, and immediately adjacent to the trees that form the southern boundary, is a garage block with an associated access drive. This falls outside of the application site and is to be retained by the applicant.

To the east of the application site is Pilton Lane, which is approximately 2-3m below the level of the application site. The boundary is marked by a steep bank with hedgerow planting along the top. The western site boundary borders an area of grass which is not included within the application site. Beyond this is the drive leading to Pilton Cottage, which benefits from access rights via the application site entrance, and a further lines of trees which separates the site from the buffer zone to Sainsbury's car park to the west. The site level generally falls from south to north.

The site is accessed by a wide double gated entrance off Harts Lane.

The wall around Pilton House, fronting Pilton Lane, is Grade II listed.

Outline planning permission is sought for two dwelling houses. All matters are reserved for future consideration. An illustrative layout plan shows a 4-5 bed house and a 3 bed house, both two storeys high with attached garages. They would be served by a shared vehicular access.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Planning Statement
- Design and Access Statement
- Tree Survey and Report

REPRESENTATIONS

None received.

CONSULTATIONS

County Director of Environment, Economy and Culture - Although all matters are reserved for future consideration, because of the limited width and characteristics of the adjacent roads, it is essential that the means of access is considered at this stage. Access to the proposed residential units is to utilise an existing access to Harts Lane, which is located adjacent to the south-west corner of the site and has adequate width and emerging visibility to accommodate the proposed residential units in addition to Pilton Cottage. Harts Lane is part of the strategic cycle network and comprises a single width carriageway, with a passing facility, between Pilton Lane and the access to St Luke's College, with a cycleway only restriction to the east of Pilton Lane. Pilton Lane is also a single width carriageway from Pinhoe Road to the junction with Harts Lane and has a southerly direction one-way traffic flow for approximately 80 metres from the junction with Pinhoe Road. When taking into consideration the characteristics and capacity of the adjacent highway network, it is estimated that the fourteen to eighteen additional vehicle trips per day that the proposed development is likely to generate and/or attract can be accommodated. A condition is recommended to secure the provision of on-site parking and access facilities in accordance with details to be submitted to and approved by the Local Planning Authority.

Assistant Director Environment recommends approval with a condition relating to construction and demolition hours.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP4 - Density
CP5 - Meeting Housing Needs
CP15 - Sustainable Construction
CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016
CO6 - Quality of New Development
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011
DG1 - Objectives of Urban Design
DG2 - Energy Conservation

OBSERVATIONS

The site falls within an area designated as a major urban expansion for the City in the Council's Core Strategy. The development of the area is guided by the Monkerton and Hill Barton Masterplan Study which was adopted for Development Management purposes in November 2010.

Within this study the site falls within the 'Pilton Centre' character zone which proposes a mix of uses but also makes specific reference to the need for development to "respect and respond" to Pilton House. In this context, residential development is the most appropriate use for this land. Residential densities in this character area are generally expected to be high. In order to achieve efficient use of land it could be argued that a greater number than the two dwellings proposed should be considered. However a relatively low key development comprising no more than two units would be most respectful of the landscaped character of the environs and the setting of Pilton House and is acceptable.

It is important to retain the landscaped boundaries to the south and east of the site which would ensure that the existing character and appearance of the site is preserved. Trees form the northern boundary of the development site and whilst they are not of significant value in themselves they provide a natural barrier which can usefully delineate the new residential curtilage of Pilton House. A topographic survey of the site and environs submitted with the application demonstrates that there can be an appropriate degree of separation between the trees and new dwellings, and also that buildings can sit comfortably within their context.

The use of the existing access to the site is confirmed to be appropriate by the County Director of Environment, Economy and Culture. He has also advised that Harts Lane can accommodate additional traffic whilst maintaining safety for pedestrians and cyclists.

The illustrative layout plan has had regard to the Council's adopted SPD on Residential Design. It has been satisfactorily demonstrated that two dwellings can be accommodated which can meet the relevant space and privacy standards in the SPD.

In common with other developments in the Masterplan Study area, the development should contribute to transport and education infrastructure from which future occupiers would benefit. In addition there is a requirement for a financial contribution for mitigation in lieu of appropriate assessment in relation to Natura 2000 sites. These contributions can be secured via a Section 106 Agreement.

The proposal does not involve any alteration to the Grade II listed wall around Pilton House. The proposal would have no adverse impact on the setting of the wall.

SUSTAINABILITY

The applicant has indicated that the following sustainable features would be incorporated into the design of the dwellings:

- Photo-voltaic cells to generate on-site electricity
- Rainwater harvesting
- Building design incorporating passive solar gain
- Flexible and adaptable internal spaces compatible with the Lifetime Homes standard
- Energy efficient boiler
- Low flow water appliances

- Building materials from responsibly managed sustainable sources
- Recycling bin storage and bicycle parking

NORTHERN AREA WORKING PARTY

Members noted that this application was from a staff member and would be reported to Committee.

Access would be from Harts Lane and the two dwellings would be additional homes in an area where there would be significant additions to the overall housing stock. Therefore the impact on both the character of the area and traffic generation would be minimal. Members raised no objection in principle. A Member asked that concerns regarding the narrowness in parts of Harts Lane be noted with regard to cycle use and vehicular traffic.

RECOMMENDATION

Subject to receipt and consideration of the views of the County Director of Environment, Economy and Culture, the Assistant Director City Development be authorised to grant **APPROVAL** subject to the completion of a Section 106 Agreement securing the matters referred to above, and subject to the following conditions:

In the event that the Section 106 Agreement is not completed within 3 months of the date of this committee meeting, authority be delegated to the Assistant Director, City Development to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within the Section 106 Agreement.

APPROVE subject to the following conditions:

- 1) C01 - Standard Outline
- 2) C04 - Outline - Exclude Details
- 3) C06 - Time Limit - Approval of Reserved Matter
- 4) C07 - Time Limit - Outline
- 5) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details (insofar as they relate to matters controlled by this outline consent) received by the Local Planning Authority on 31 May 2012 (dwg. nos. PL/254.01, PL/254/2, PL/254/.03 & PL/254/04) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 6) C17 - Submission of Materials
- 7) C34 - Landscape Scheme - Outline
- 8) C36 - No Trees to be Felled
- 9) C37 - Replacement Planting
- 10) C38 - Trees - Temporary Fencing
- 11) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 12) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operative's vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes during the construction period.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site during the construction period having regard to the limited width of access to the site, in the interest of public safety.

- 13) The buildings comprised in the development hereby approved shall be constructed to have all their heating systems (including space and water heating) compatible with the proposed decentralised energy network. Prior to occupation of the development, the necessary on-site infrastructure shall be put in place for connection of those systems to the network at a point on the site boundary agreed in writing by the LPA.

Reason: In the interests of sustainable development.

- 14) No dwelling hereby approved shall be occupied until the applicant has submitted a SAP calculation which demonstrates that, through the use of decentralised energy or local energy networks and renewable or low carbon energy sources, a 10% reduction in CO2 emissions over that necessary to meet the requirements of the Building Regulations current at the time of Building Regulations approval can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site.

Reason: In the interests of sustainable development.

- 15) Any individual dwelling hereby approved shall achieve a Code Level 3 as a minimum, but shall achieve a Code Level 4 if commenced on or after 1st January 2013, and a Code Level 5 if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such equivalent national measure of sustainability for house design that replaces that scheme) and Exeter Core Strategy Policy CP15. No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that a Final Code Level of 3,4 or 5 has been achieved as appropriate.

Reason: In the interests of sustainable development.

- 16) The Local Planning Authority shall be notified in writing of any dwelling for which construction is commenced before 1st January 2013 and for any dwelling for which construction is commenced thereafter but before 1st January 2016, within 10 working days of those dates.

Reason: In the interests of sustainable development.

- 17) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of local amenity.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

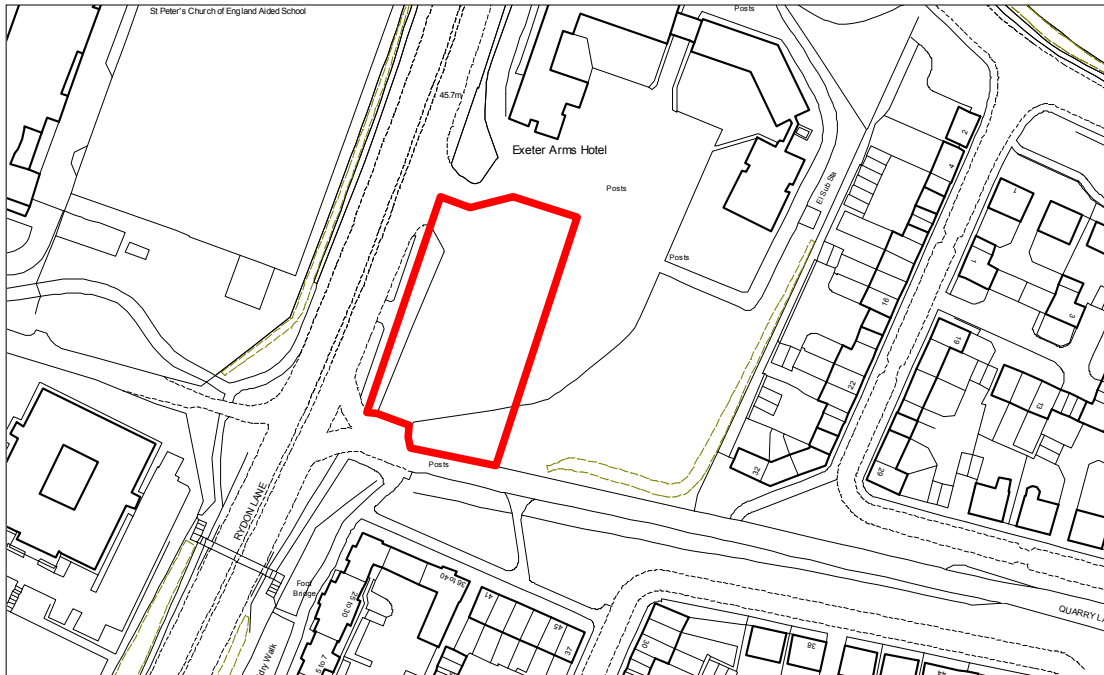
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Agenda Item 8

ITEM NO. 8

COMMITTEE DATE: 23/07/2012

APPLICATION NO: 11/2018/03 FULL PLANNING PERMISSION
APPLICANT: Ms D.C Arden, I.M. Broom and G.E Arden
PROPOSAL: 2/3 storey building comprising 14 self contained apartments, pedestrian access, parking and associated works
LOCATION: Former Exeter and Middlemoor Service Station, Rydon Lane, Exeter, EX2
REGISTRATION DATE: 04/01/2012
EXPIRY DATE: 04/04/2012



Scale 1:2000

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HISTORY OF SITE

None directly relevant to this proposal.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises the former Exeter and Middlemoor Service Station situated on the east side of Rydon Lane between the Exeter Arms public house and Quarry Lane. The site extends to 2216 square metres, it has been cleared and has remained vacant for some time.

Permission is sought for the erection of a 2/3 storey building containing 14 self-contained residential 2 bed apartments. 15 parking spaces are proposed located to the rear of the building with access provided off Quarry Lane. Cycle parking and an area of communal amenity space is also provided at the rear of the building. The bin store is located towards the front of the site near the site entrance, and hence the likely refuse collection point.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning, Design and Access Statement
- Ecological Survey Assessment
- Noise Assessment
- Land Contamination Assessment

REPRESENTATIONS

2 letters of representation have been received raising the following issues -

- impact on highway safety, particularly in relation to cycling arising from realigned kerb lines, fencing and visibility
- adequacy of cycle parking
- inappropriateness of materials - industrial character
- Residential amenity - balconies facing main road
- Sustainability

CONSULTATIONS

EA - recommend conditions regarding submission of drainage strategy for approval and land contamination.

South West Water - No objections

Assistant Director Environment - requested clarification regarding predicted internal noise levels and recommends conditions regarding hours of construction, land contamination and mitigation of noise impact upon the development.

County Director Environment, Economy and Culture - Recommends condition regarding provision of parking facilities, closure of existing site access and details of site compound during construction.

Council's Projects and Business Manager - Comments on cycle parking provision, and concerns relating to access proposals.

Police Architectural Liaison Officer - Comments on parking, cycle storage, planting and boundary treatments from the perspective of designing out crime in new developments.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - NPPF

Exeter Local Development Framework Core Strategy

CP1 - The Spatial Approach

CP4 - Density

CP5 - Meeting Housing Needs

CP7 - Affordable Housing

CP11 - Pollution and Air Quality

CP13 - Decentralised Energy Networks

CP14 - Renewable and Low Carbon Energy

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST10 - Exeter Principle Urban Area

ST18 - Affordable Housing
ST18a - Mix and Type of Housing
CO6 - Quality of New Development
TR1 - Devon Travel Strategy
TR2 - Coordination of Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy, Stands and Proposals
TR5 - Hierarchy of Modes and Transport Assessment
TR7 - Walking and Cycling
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
L4 - Provision of Playing Pitches
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
LS2 - RAMSAR/Special Protection Area/Special Area of Conservation
EN5 - Noise
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
C5 - Archaeology

Exeter City Council Supplementary Planning Document
Residential Design Guide (adopted September 2010)

OBSERVATIONS

The main material considerations in respect of this proposal relate to design/layout/visual impact, amenity space standards, affordable housing, parking/access issues (including cycling) and landscape/ecology.

Design/layout/visual impact

The scheme has been designed with the building set back from the edge of the pavement/cycle path that runs along the site frontage. Whilst the set back proposed does not quite correspond with the building line established by the Exeter Arms and the existing residential development off Rydon Lane (to the south of the site), it will ensure that the building does not have an undue prominence in the street scene, and does afford some defensible private amenity space to the ground floor flats. The degree of set back has been increased slightly from the originally submitted drawings as a result of negotiations.

The siting of the building avoids conflict with existing vegetation and trees that are located along the eastern and southern boundaries of the site and facilitates provision of the required parking facilities to the rear of the building so that they are not prominent features in the street scene. An area of communal amenity space is also provided to the rear of the building away from the road.

The internal layout of the accommodation has been arranged so that the bedrooms are located on the eastern side of the building away from the main road to minimise potential night time disturbance to residents associated with noise from the main road. The main living/dining area of a westerly aspect and potential evening sun.

Access/egress to and from the site is provided off Quarry Lane thereby avoiding any conflict with the existing access to the Exeter Arms car park and this approach was agreed with the Highway Authority prior to detailed development of the scheme.

The external materials chosen comprise metal seamed wall/roof cladding and render which pick up prevailing materials in the area. The adjoining nearby residential development along Rydon Lane are partly rendered and the school on the opposite side of the road incorporating elements of metal cladding. Concerns expressed by members of the Southern Area Working Party regarding the materials were raised with the applicant who has clarified that part of the reason for the choice of materials relates to their durability given the site location on a busy road. The chosen materials are not so prone to absorbing dirt from weathering and road spray as brick or timber.

Overall the site layout and visual impact of the proposal is considered acceptable.

Amenity space standards

The scheme has been designed with reference to the standards set out in the Council's adopted SPD on Residential Design in terms of external and internal amenity space. Each of the proposed apartments are 2 bed units. Two of the units comply with the overall Gross Internal floor area standard (GIA) of 70 sq metres. The other 12 units are marginally short of the standard with a GIA of 67 sq metres. However, within these units the living/dining/kitchen areas, and main bedrooms comply with the required standard and it is only the second bedroom that is marginally below the required size only if they were occupied by 2 people. Notwithstanding this, overall the proposed units are considered to provide an appropriate standard of accommodation.

In terms of external amenity space the ground floor flats are provided with private space exceeding the required standard. The upper floor units have slightly small balconies but in the context of the overall layout and size of the flats these are considered acceptable. The communal external amenity area is large enough to serve the proposed number of units (just over 280 sq metres) and is easily accessible to all occupants. An additional communal clothes drying area and covered bin storage facility is also included.

The proposal is considered acceptable in terms of the standard of residential amenity provided.

Affordable Housing

In accordance with Core Strategy policy CP7 35% of the proposed units would be required as affordable housing unless such provision would make the scheme unviable. The applicant has argued that there is a viability issue in this case, both in terms of the direct provision of affordable housing on site, or payment of a significant financial contribution towards off site provision. Negotiations over the potential level of contribution towards off site provision that may be possible, without compromising the financial viability, and hence deliverability, of this scheme are on-going based on a viability appraisal. However, these negotiations are unlikely to be concluded in time for this Committee and the applicant requires a resolution to approve the application before the end of July or their option to purchase the site will expire, along with the opportunity to deliver the redevelopment of this long vacant site. It is therefore recommended that agreement over the appropriate level of contribution be delegated to the Head of Planning in consultation with the Chair of the Planning Committee, prior to any consent being issued.

Parking/Access Issues

Providing separate in and out vehicular access to the site would have taken up a significant area of the site and consequently, in liaison with the Highway Authority, a single point of entry/exit was proposed off Quarry Lane. Originally 14 parking spaces (one for each flat)

were proposed but revised plans have been submitted incorporating an additional visitor parking space. 14 covered cycle parking spaces have also been provided to the rear of the building however it is considered that these should be resited to make them less visible from outside the site and more usable. Negotiations to secure a more appropriate position for them are on-going and the outcome will be reported at Committee.

Initially some concern was raised regarding potential conflict between the use of entrance/exit to the site and cyclists/pedestrians using the combined foot/cycle path that crosses Quarry Lane at this point. Consequently the height of the boundary wall to the entrance has been reduced to improve visibility and this, coupled with road markings and warning signs within the site, is considered sufficient to address the issue. The Highway Authority have raised no objection to the access arrangements.

Landscape/ecology

The proposal as designed retains existing vegetation around the site and affords the opportunity for new planting to enhance the appearance of the area. Currently the site has little ecological value and the incorporation of bird/bat bricks within the building fabric offers an opportunity to enhance its contribution to the area in this respect.

It has been identified that all new dwellings within the Exeter area will result in extra recreational impact upon the protected sites of the Exe Estuary, Dawlish Warren and East Devon Pebblebed Heaths. Exeter City Council (ECC) is currently involved in joint working with Teignbridge District Council (TDC), East Devon District Council (EDDC), Natural England, RSPB and EEMP to assess the scale of recreational impacts likely to result from the predicted levels of growth in the area. In the absence of a specific Appropriate Assessment in respect of this proposal the developer is required to pay a financial contribution of £350/dwelling towards mitigation of the impact in line with the interim approach adopted by the relevant Local Authorities and bodies referred to above. Confirmation that the applicant is willing to pay such a contribution has been sought as without this the application would have to be refused.

SAWP (01/02/12)

Members expressed some reservations regarding the design and external appearance of the building and the position of the balconies facing the road. Members noted that officers were in negotiations with the applicant regarding affordable housing, design matters, cycle parking and access issues. It was noted that the application would be determined by Planning Committee.

Conclusion

Subject to the satisfactory outcome of negotiations in relation to the outstanding points identified in this report the proposal is considered acceptable in terms of its visual impact, quality of residential amenity and highway safety/access issues. The proposal will result in the redevelopment of a vacant and unsightly parcel of land.

RECOMMENDATION

Subject to the satisfactory outcome of negotiations, and completion of a Section 106 agreement relating to affordable housing and Natura 2000 contributions (agreement over the level of the former to be delegated to the Head of Planning in consultation with the Chair of Planning Committee), Approval subject to the following conditions :-

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement

- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) Development shall not begin until a scheme for protecting the proposed dwellings from noise from Rydon Lane has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.
Reason: In the interests of residential amenity.
- 6) No part of the development hereby approved shall be occupied until the on-site car and cycle parking facilities as shown on drawing no....., together with any means of access thereto have been provided, allocated, surfaced and marked in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site and to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 7) Prior to the first occupation of any of the units hereby approved the road markings within the site entrance, and the warning signs, as shown on drawing no..... shall be installed. Thereafter they shall be maintained in accordance with the approved details at all times.
Reason: In the interests of highway safety.
- 8) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes during the construction period.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site during the construction period, in the interest of public safety.
- 9) C57 - Archaeological Recording
- 10) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the dwelling/building(s), in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 11) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 12) No development shall begin until a scheme for generating a proportion of the energy requirement of the development from on-site renewable sources which reduce the predicted CO2 emissions by 10 per cent (or other proportion as agreed in writing), has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the building is brought into use and shall thereafter be maintained so that it provides the required level of generation.

Reason: To ensure that the scheme is developed in such a way as to reduce reliance on non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.

- 13) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of occupants of nearby buildings.

- 14) If, during the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority (LPA)) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall then be implemented as approved.

Reason: To protect controlled waters.

- 15) Prior to the commencement of the development hereby approved a drainage strategy for the disposal of surface water shall be submitted to and be approved in writing by the Local Planning Authority. Such strategy shall demonstrate how the disposal of surface water shall be managed to ensure that it does not mobilise any residual contamination on the site.

Reason: To protect controlled waters.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre,
Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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Agenda Item 9

ITEM NO. 9

COMMITTEE DATE: 23/07/2012

APPLICATION NO: 12/0922/03 FULL PLANNING PERMISSION
APPLICANT: ELITE SPV1
PROPOSAL: Alterations to provide three separate apartments
LOCATION: 15 Regents Park, Exeter, EX1 2NT
REGISTRATION DATE: 25/06/2012
EXPIRY DATE: 20/08/2012

ITEM NO. 9

COMMITTEE DATE: 23/07/2012

APPLICATION NO: 12/0923/07 LISTED BUILDING CONSENT
APPLICANT: ELITE SPV1
PROPOSAL: Alterations to provide three separate apartments
LOCATION: 15 Regents Park, Exeter, EX1 2NT
REGISTRATION DATE: 25/06/2012
EXPIRY DATE: 20/08/2012



Scale 1:1250

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DESCRIPTION OF SITE/PROPOSAL

The application relates to Grade II Listed Building located within the Mont le Grand Conservation Area. The dwelling was built around 1830-1840, and is a three storey mid-terraced house. The property is recognised as making a positive contribution to the area, and sits directly north of a positive space as noted within the Mont Le Grand Conservation Area Appraisal and Management Plan.

Earlier in 2012, a certificate of lawfulness of existing use for three flats was submitted by the same applicant (Ref: 12/0459017). Unfortunately due to a number of anomalies with the floor plan, coupled with a break in use following the death of the previous owner, the Local Planning Authority were legally advised not to issue the certificate. Following a period of extended dialogue, the applicant agreed to withdraw the aforementioned application and

instead submit a planning application and a listed building consent application to convert the property into three self-contained apartments. This report relates to these applications.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied with; Historic Record Information Sheet, Photographs, Policy Analysis, Design Access & Heritage Statement, and an Environment Agency Flood Map.

REPRESENTATIONS

At the time of writing no representations have been received.

CONSULTATIONS

The Head of Planning, Transport and Environment, on behalf of Devon County Council, raise on objection to the proposal. Two conditions have been requested relating to the provision of vehicular parking and cycle storage.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework
Exeter Local Development Framework Core Strategy
CP17 - Design and Local Distinctiveness
CP4 - Density
Devon County Structure Plan 2001-2016
CO6 - Quality of New Development
CO7 - Historic Settlements and Buildings
Exeter Local Plan First Review 1995-2011
C1 - Conservation Areas
C2 - Listed Buildings
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
H1 - Search Sequence
H2 - Location Priorities
Exeter City Council Supplementary Planning Document
Residential Design Guide (adopted September 2010)

OBSERVATIONS

As part of the previously withdrawn application a number of supporting documents were submitted, highlighting the fact the property has been used as three apartments for a number of years. Firstly, a sworn statement was provided which notes tenancy agreements were first prepared in the 1960's and that rents have been collected ever since initially by Campion Symons and Co but more recently by Gilbert Stephens LLP. The Local Planning Authority are also in receipt of a letter from Exeter City Council's Treasury Services confirming that council tax has been paid for three apartments since April 1993, an e-mail from EDF Energy confirming that three meters were installed in 2004 and 2005, an e-mail from South West Water confirming that it has been supplying water to the apartments since November 1999, and an estimate for building works from 1995. Given the volume of evidence presented and the weight that can be attached to it the Local Planning Authority are satisfied the property has been used as three apartments for an extended period of time although the exact layout remains unknown, hence the difficulty in granting a Certificate of Lawfulness.

The scheme presented to the Council includes a small number of internal alterations. However, the original style, character and proportions largely remain unaltered. All three apartments exceed the minimum space standards carried throughout the Local Planning Authorities adopted SPD 'Residential Design'. The Local Planning Authority are satisfied the

three apartments will offer a high level of residential amenity which will enable all future residents to feel at ease within their own property.

With regard to the impact of the proposal on the amenity of neighbours the Local Planning Authority are satisfied the proposed apartments will not be detrimental. The intensity of use will not alter from the existing activity associated with the building. Further it is clear that care has been given to the internal layout with primary living spaces being located away from the sole party wall. Such a layout will ensure the transfer of noise will be kept to a minimum which is welcomed. No extensions are proposed ensuring the level of light enjoyed by neighbours will not be reduced, and there will be no impact on outlook. The proposal includes some cleaning of the external facade which will help rejuvenate a building that has become somewhat tired in appearance. In terms of the impact on the Listed Building, externally this would be minimal and internally the historic character would be enhanced.

It is anticipated that a number of objections will be received on highway safety grounds, in particular the lack of parking. The applicant has confirmed the property benefits from 4 spaces formed between existing garages to the rear and unrestricted on-street parking at the front. Confirmation has been sought from the applicant and will be presented to Members at committee as well as the formal response from DCC Highways.

SOUTHERN AREA WORKING PARTY

Members were advised the application was likely to be considered acceptable by officers. However, in view of previous objections to the withdrawn Certificate of Lawfulness application and anticipated level of representations it would be presented at Planning Committee.

RECOMMENDATION

Subject to no significant new issues being raised post committee

APPROVE application 12/0922/03 subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 25 June 2012 (*dwg. no(s). D020/12/211 and Schedule of Alterations*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The external finishes of the development hereby permitted, including all repairs, shall match those of the existing building in material, colour, style, bonding and texture.
Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity.
- 4) A scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority prior to the approved units being occupied. The soundproofing shall be carried out in accordance with the approved scheme before brought into use.
Reason: To prevent unreasonable noise and disturbance to neighbouring occupants in the interests of residential amenity.

- 5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 6) No part of the development hereby approved shall be occupied until the garage parking facilities has been allocated in accordance with the requirements of this permission and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

APPROVE application 12/0923/07 subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 25 June 2012 (*dwg. no(s). D020/12/211 and Schedule of Alterations*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The external finishes of the development hereby permitted, including all repairs, shall match those of the existing building in material, colour, style, bonding and texture.
Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity.
- 4) Notwithstanding condition No.1 no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details: Bridge and Balustrade.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

EXETER CITY COUNCIL

PLANNING COMMITTEE 23 JULY 2012

BUILDINGS AT RISK

1 PURPOSE OF REPORT

- 1.1 To report on progress since the previous Buildings at Risk report in February 2012.

2 BACKGROUND

- 2.1 The condition of buildings is summarised according to the English Heritage priority system of risk categories.

- A. immediate risk of further rapid deterioration or loss of fabric; no solution agreed.
- B. immediate risk of rapid deterioration or loss of fabric; solution agreed but not yet implemented.
- C. slow decay; no solution agreed.
- D. slow decay; solution agreed but not yet implemented.
- E. under repair or in fair to good repair, but no user identified; or under threat of vacancy with no obvious new user (applicable only to buildings capable of beneficial use).
- F. repair scheme in progress and (where applicable) end use or user identified; functionally redundant buildings with new use agreed but not yet implemented.

3 KEY BUILDINGS

- 3.1 The following sites are dealt with in the report:
- | | Listed Building
Grade | Risk
Category
(see above) |
|--|--------------------------|---------------------------------|
|--|--------------------------|---------------------------------|

Proposed buildings to be removed from the Register

None

Buildings remaining on the register

Rectory Barn, Rectory Drive, Alphington	II	B
Thomas Hall, Cowley Bridge Road	II	D
Former Transit Shed, St David's Station	II	C
Front Wall to 66 Magdalen Road	II	F#
Dean Clarke House, Southernhay East	II	D#
Dissenters Graveyard	LL	C
Prezzo, 202 High Street,	II	F
Wall to alleyway between Notaries House and 10 Cathedral Yard	I	A
Devon and Exeter Institute, 7 Cathedral Close	I	A
Wynards Chapel	II*	F

Buildings to add to the register

Clystlands, Fore Street, Heavitree	II	B
Holmbush, Little Johns Cross Hill	II	A

denotes change in risk category since last report

4 THE REGISTER *(Letters in bracket denotes Risk Category as above)*

4.1 Rectory Barn, Rectory Drive, Alphington. Grade II (B)

Following a letter in January to the owner noting Members agreement to initial Enforcement proceedings, the owner has been in contact to agree clearance and repair works to make the building watertight. At the time of writing this report, these works have not been commenced due to the owner's personal circumstances that have caused a delay, however a verbal update will be available at the meeting. The owner has discussed implementing the extant consent from the 1970's which allows for the creation of two cottages, however because this permission is so old, alterations to these plans are being discussed to bring them in line with current planning and building control measures.

4.2 Thomas Hall, Cowley Bridge Road. Grade II (D)

The University is continuing their discussions with the developer, however given the current challenging economic climate the project is not able to be progressed. The University are continuing to try and resolve the issue.

4.3 Former Transit Shed, St David's Station. Grade II (C)

Since Standard Steam Locomotives pulled out of their project to re-use this building, Network Rail continue to maintain it on an "as needs" basis to ensure it does not continue to deteriorate beyond its current condition. However they are also in discussions with Exeter Historic Buildings Trust with a view to a partnership solution.

4.4 Front wall to 66 Magdalen Road. Grade II (F, changed from D in last report)

Repairs to the front wall are nearly complete. Pending satisfactory completion of the works, this structure will be removed from the register at the next reporting.

4.5 Dean Clarke House. Grade II* (D, changed from C in last report)

Consent has been granted for the building to be converted to 24 flats and 6 offices. The building has been sold and contracts are due to be exchanged shortly. It is understood that works will start as soon as possible after completion; a verbal update will be presented at the meeting.

4.6 Dissenters Graveyard. LL (C)

The Church sold the freehold of the site some years ago and has no claim on its future use, however the owner has been informed by the Church committee that they are still in favour of social/affordable housing and do not want him to proceed with the proposal for a remembrance garden.

The owner made a presentation to Planning Member Working Group in November 2010 on a proposal to develop the site for social housing. Although Members gave some weight to the provision of affordable housing in the city, they attached greater weight to the site's historic significance and the retention of it as a heritage asset. Consequently the proposal for development was discouraged.

It is further noted that the Council have offered financial support to the owner to create the link to Bull Meadow Park and have offered advice on cost effective repairs to the monuments in order to facilitate the Garden of Remembrance. Positive consultation has also taken place on landscape proposals for the Garden.

4.7 Prezzo, 202 High Street, Grade II (F)

The contractors employed to carry out the repairs went into administration and the building works were halted for some time. A new agent has been appointed and an updated specification for the works has been agreed. The

agent has received tenders back from contractors and works will re-commence later in July.

4.8 Devon and Exeter Institution, 7 Cathedral Close. Grade I (A)

The Institute's architect has received an indicative offer of funding from English Heritage that will allow the full restoration of the roof to take place in a single phase. Full protective scaffolding will be erected around the building, followed by a strip of the existing roofing material before the structural failures can be assessed and a specification drawn up. A formal application will be submitted for the works in due course.

4.9 Wall to alleyway between Notaries House and 10 Cathedral Yard Grade I (A)

Since the last report, no contact has been received from the owners. The wall retains medieval stonework and it is this stonework, adjacent to a medieval doorway, that is deteriorating most severely; this can only be seen from within the alleyway and is therefore hidden from public view. The condition of the wall has been previously discussed with the owner's surveyors during a period of renovations on the Notaries House, however, no consolidation was carried out and the wall has deteriorated to its present state.

4.10 Wynards Chapel. Grade II*

The windows are still in need of repair, despite assurances that this would be completed by Spring. Although there are no proposals for any conversion or use of the building, once these repairs are carried out, it will at least be weather tight and can be removed from the register.

5 BUILDINGS TO BE ADDED TO THE REGISTER

5.1 Clystlands, Fore Street, Heavitree. Grade II (A)

Some render was removed from the south east elevation in March 2011 for some patch repairs to be carried out. The render was found to be more unstable than first thought and was completely removed from this elevation. Specifications and quotes for appropriate re-rendering have been received, however the management company has not been able to fund the re-instatement and the Heavitree stone wall has been left unprotected. Damage to the building, both internally and externally is inevitable as long as the structure remains in this condition.



South east elevation showing removal of render

5.2 **Holmbush, Little Johns Cross Hill. Grade II. (A)**

Holmbush suffered a fire in April that destroyed the thatch and left the interior and cob walls of the building unprotected. The building was uninsured and has remained unprotected since the fire, with no scaffolding or covering and it is most likely that the unusually wet weather has caused further deterioration of fabric. There has been a comprehensive structural report undertaken that has identified key works required to stabilise the building prior to reconstruction. The owner has been considering options and is likely to sell the site as seen. Advice has been given to the owner's agents that further development on the land is unlikely to be accepted as it is within the Valley Park and rebuilding of the listed building, retaining all features and fabric where possible, is expected.



Holmbush after the fire, April 2012

6 RECOMMENDATION

6.1 It is recommended that the report be noted.

**RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT**

PLANNING DECISIONS TAKEN UNDER DELEGATED POWERS AND WITHDRAWN APPLICATIONS

1 PURPOSE OF REPORT

1.1 This report lists planning applications determined under delegated powers and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

1.2 The latter part of the application reference number indicates the following type of application:

- 01 Outline Planning Permission
- 02 Approval of Reserved Matters
- 03 Full Planning Permission
- 04 Works to Tree(s) with Preservation Order
- 05 Advertisement Consent
- 06 Works to Tree(s) in Conservation Area
- 07 Listed Building Consent
- 08 Circular 18/84
- 14 Demolition in Conservation Area
- 16 Exeter City Council Regulation 3
- 17 Lawfulness of Existing Use/Development
- 18 Certificate of Proposed Use/Development
- 21 Telecommunication Apparatus Determination
- 25 County Matter Application
- 26 Devon County Council Application
- 27 Modification and Discharge of Planning Obligation Regulations
- 32 Discharge of conditions
- 37 Non Material Amendment
- 38 Extension to Extant Planning Consent

1.3 The decision type uses the following codes

- DTD Declined To Determine
- NLU Was Not Lawful Use
- PAN Prior Approval Not Required
- PAR Prior Approval Required
- PER Permitted
- REF Refuse Planning Permission
- RNO Raise No Objection
- ROB Raise Objections
- SPL Split Decision
- WDN Withdrawn by Applicant
- WLU Was Lawful Use
- WTD Withdrawn - Appeal against non-determination

1.4 Members are requested to advise the Senior Area Planning Officer (Roger Clotworthy) or Assistant Director City Development (Richard Short) of any questions on the schedule prior to the meeting of the Planning Committee.

2. RECOMMENDATION

2.1 That this report be noted.

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

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Exeter City Council

23/07/2012

**All Planning Decisions Made and
Withdrawn Applications Between 14/6/2012 and 11/7/2012**

ALPHINGTON

Application Number: 12/0450/03 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 25/06/2012 DEL
Location: Unit 66 Basepoint Business Centre, Yeoford Way, Marsh Barton Trading Estate, Exeter, EX2 8LB
Proposal: Change of use from business and industrial to cafe and takeaway

Application Number: 12/0462/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 26/06/2012 DEL
Location: Westerly, Matford Park Road, Marsh Barton Trading Estate, Exeter, EX2 8FD
Proposal: Alterations including extension to link showrooms, rendered wall panels and revised access and parking

Application Number: 12/0534/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 26/06/2012 DEL
Location: Matford Park phase III, Land south of Yeoford Way, Marsh Barton Trading Estate, Exeter
Proposal: Two marketing boards adj to Bad Homburg Way

Application Number: 12/0688/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 26/06/2012 DEL
Location: 33 Smith Field Road, Exeter, EX2 8YN
Proposal: Ground floor extension on south west elevation and detached garage with gated vehicular access on east boundary

Application Number: 12/0639/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 23 Chapel Road, Exeter, EX2 8TB
Proposal: Ground floor extension and loft conversion to the north elevation.

Application Number: 12/0417/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 03/07/2012 DEL
Location: 121 Cowick Lane, Exeter, EX2 9HF
Proposal: Ground floor extension and extraction flue on the south west elevation.

Application Number: 12/0430/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 03/07/2012 DEL
Location: 121 Cowick Lane, Exeter, EX2 9HF
Proposal: Ground floor extension and extraction flue on the south west elevation.

Application Number: 12/0747/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 175 Alphington Road, Exeter, EX2 8NA
Proposal: Retention of hand car wash

Application Number: 12/0537/03 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: Alphington Cricket Club, The Chronicles, Church Road, Alphington, Exeter EX2 8SW
Proposal: Static cricket nets with artificial turf and concrete base near south west boundary

Application Number: 12/0849/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/06/2012 DEL
Location: 10a, Woodbury View, Exeter, EX2 9JQ
Proposal: Reduction in overall width of garage and extension (Non material minor amendment to Planning Application Ref: 11/1826/03 granted: 13 01 2012)

COWICK

Application Number: 12/0882/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 44 Wentworth Gardens, Exeter, EX4 1NQ
Proposal: Omission of gable end windows. Non Material Minor Amendment to Ref No: 09/0593/03 granted 05 08 09

Application Number: 12/0260/17 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 15/06/2012 DEL
Location: 63 Barley Lane, Exeter, EX4 1TA
Proposal: Use of 63A as a separate dwelling from 63 (Certificate of lawfulness for existing use)

DURYARD

Application Number: 12/0517/03 **Working Party Date:** 01/06/2012
Decision Type Permitted **Decision Date:** 14/06/2012
Location: Cooper Cottage, Lower Argyll Road, Exeter, EX4 4QZ
Proposal: Variation of condition two to approve amended drawings including enlarged basement and alterations to fenestration (Ref No. 10/1490/03 granted 21 October 2010)

Application Number: 12/0803/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/06/2012
Location: 8 High Croft, Exeter, EX4 4JQ
Proposal: Removal of second storey element. Overall width of extension reduced, railings at front elevation replaced with glass and resiting of retaining wall at the front of the property (Non-material minor amendment Ref No. 11/1718/03 granted 07-12-2011)

Application Number: 12/0518/17 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 27/06/2012
Location: 18 Hillcrest Park, Exeter, EX4 4SH
Proposal: Replacement of roof, removal of chimney on south elevation, loft conversion with pitched rear dormer and flat roof dormer on east elevation, velux windows (4) on west elevation (1) on east elevation and (1) on north elevation, replacement and extension of driveway, creation of bin store and erection of fence (Certificate of lawfulness for existing use)

Application Number: 12/0546/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: 6 Hillcrest Park, Exeter, EX4 4SH
Proposal: Ground floor extension on north east elevation and patio/decking with balustrading and walls on south west elevation

Application Number: 12/0659/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 113 Pennsylvania Road, Exeter, EX4 6DU
Proposal: Car port with solar panels to northern boundary

Application Number: 12/0845/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 48 Argyll Road, Exeter, EX4 4RY
Proposal: Addition of 2 windows on existing east elevation, replacement of bay window and brick work rendering on south, east and west elevations (Non-material minor amendment to Planning Application Ref No. 10/2083/03 granted: 01 April 2011)

Application Number: 12/0719/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 26 West Garth Road, Exeter, EX4 5AH
Proposal: Ground floor extension on south west elevation and bay window on north west elevation

HEAVITREE

Application Number: 12/0716/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/07/2012 DEL
Location: Former St Loyes Public House, 12-14, Salters Road, Exeter, EX2 5JH
Proposal: Discharge of Conditions 3, 4, 6, 7 and 8 to Planning Permission Ref No. 10/0498/03 granted: 21 07 2010

Application Number: 12/0868/18 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 49 Lonsdale Road, Exeter, EX1 3DP
Proposal: Conservatory on east elevation (Certificate of Lawfulness of Proposed Development)

MINCINGLAKE

Application Number: 12/0708/03 **Working Party Date:** 02/07/2012
Decision Type Withdrawn by Applicant **Decision Date:** 28/06/2012
Location: 9 Badon Close, Exeter, EX4 9EG
Proposal: Attached dwelling, access to highway and associated works

NEWTOWN

Application Number: 12/0246/03 **Working Party Date:** 28/03/2012
Decision Type Permitted **Decision Date:** 29/06/2012 COM
Location: Belmont Park Hut, Gordon Road, Exeter, EX1 2DH
Proposal: Replacement detached community building

Application Number: 12/0247/14 **Working Party Date:** 28/03/2012
Decision Type Permitted **Decision Date:** 29/06/2012 COM
Location: Belmont Park Hut, Gordon Road, Exeter, EX1 2DH
Proposal: Demolition of community building

Application Number: 12/0699/28 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 29/06/2012 COM
Location: Grid Reference 292808, 093231 at junction of Blackboy Road and, Western Way, Exeter, EX1
Proposal: Installation of 12m telecommunication column with three antennas, radio equipment housing and ancillary works

Application Number: 12/0737/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: Exeter Magistrates Court, Heavitree Road, Exeter, EX1 2LR
Proposal: Replacement double doors on north elevation

Application Number: 12/0744/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 1 Parr Close, Exeter, EX1 2BG
Proposal: Replacement windows on north east (3) and south west (3) elevations and replacement door on south west elevation

PENNSYLVANIA

Application Number: 12/0736/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: 22 Hill Close, Exeter, EX4 6HG
Proposal:

Tree No.	Type	Works
T1	Monterey Cypress	Crown lift to 5 meters
T2-T6	Monterey Cypress	Crown lift to 5 meters

Application Number: 12/0618/03 **Working Party Date:** 02/07/2012
Decision Type Permitted **Decision Date:** 04/07/2012 DEL
Location: 37 Sylvan Road, Exeter, EX4 6EY
Proposal: First floor extension on east elevation and ground floor/two storey extension on west elevation

Application Number: 12/0840/04 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 7 Rosebarn Avenue, Exeter, EX4 6DY
Proposal: Tree No Species Work
T1 Zelkova Crown lift lower side by removing 7 secondary 2-4inch diameter branches

PINHOE

Application Number: 12/0724/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 7 Grasslands Drive, Exeter, EX1 3QR
Proposal: First floor extension above garage on south west elevation

Application Number: 12/0625/18 **Working Party Date:**
Decision Type Was lawful use **Decision Date:** 03/07/2012 DEL
Location: 25 Sheridan Road, Exeter, EX4 8EY
Proposal: Erection of 1.0 metre high fence adjacent to the footpath and 1.50 metre fence around front garden (Certificate of lawfulness for proposed development)

Application Number: 11/1800/03 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 04/07/2012 COM
Location: Former Ibstock Brickworks Site, land off Harrington Lane, Exeter, EX4
Proposal: Residential development of 230 units and care home of 72 beds with roads, open space, landscaping and infrastructure, all following phased demolition of existing buildings

Application Number: 12/0709/01 **Working Party Date:** 02/07/2012
Decision Type Permitted **Decision Date:** 09/07/2012 DEL
Location: Brooklea, Vennybridge, Exeter, EX4 8JF
Proposal: Replacement of existing dwelling with two flats, parking and access to highway (appearance, landscaping and scale reserved for future consideration)

Application Number: 12/0597/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 14/06/2012
Location: 55 Langaton Lane, Exeter, EX1 3SP
Proposal: First floor extension by alterations and raising of roof and external staircase on north west elevation

Application Number: 12/0555/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 15/06/2012
Location: 452 Pinhoe Road, Exeter, EX4 8HN
Proposal: First floor extension on south east elevation

POLSLOE

Application Number: 12/0459/17 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 22/06/2012
Location: 15 Regents Park, Exeter, EX1 2NT
Proposal: Use of property as three separate apartments (Certificate of lawfulness for existing use)

Application Number: 12/0936/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 2 North Avenue, Exeter, EX1 2DU
Proposal: Two velux roof lights and extended pitch roof of covered area to patio. Non Material Minor Amendment to Ref No: 11/0093/38 granted 07 03 11

Application Number: 12/0761/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/06/2012
Location: 50 Polsloe Road, Exeter, EX1 2DS
Proposal: Tree Species Works
 T1 Cypress Fell

PRIORY

Application Number: 12/0661/03 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 29/06/2012 DEL
Location: Riverside Cottage, Glasshouse Lane, Exeter, EX2 7BZ
Proposal: Ground floor extension on the south east elevation.

Application Number: 12/0682/07 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 29/06/2012 DEL
Location: Riverside Cottage, Glasshouse Lane, Exeter, EX2 7BZ
Proposal: Ground floor extension on the south east elevation.

Application Number: 11/0787/01 **Working Party Date:** 08/06/2011
Decision Type Permitted **Decision Date:** 06/07/2012 COM
Location: Millbrook Village (Former St Loye's College), Topsham Road, Exeter, EX2 6EP
Proposal: Outline application for the redevelopment of the southern part of the site, including the demolition of structures, to provide up to 63 dwellings along with children's play area, landscaping, associated roads, garaging, car parking and bin and cycle stores, in place of 71 retirement dwellings approved under application 09/0832/01

Application Number: 12/0456/04 **Working Party Date:** 04/07/2012
Decision Type Refuse Planning Permission **Decision Date:** 06/07/2012 DEL
Location: 39 Alice Templer Close, Exeter, EX2 6AE
Proposal: Tree No. Species Works
 T1 Monterey Pine Fell

Application Number: 12/0903/26 **Working Party Date:** 04/07/2012
Decision Type Raise No Objection **Decision Date:** 06/07/2012 DEL
Location: Countess Wear Combined School, Glasshouse Lane, Exeter, EX2 7BS
Proposal: Replacement classroom. Erection of a single storey log cabin building

Application Number: 12/0532/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 09/07/2012 DEL
Location: 68A Shakespeare Road, Exeter, EX2 6BU
Proposal: Discharge of Conditions 3, 4, 9, 13 and 14 to Planning Permission Ref No. 09/1291/03 granted: 19 03 2012

Application Number: 12/0665/03 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 20/06/2012
Location: Former Tax office, Countess Wear Road, Exeter, EX2 6LR
Proposal: Variation of condition 2 of application to provide three detached dwellings, access to highway and associated works (Ref: 11/1293/03 approved 18/12/2011)

ST DAVIDS

Application Number: 12/0291/03 **Working Party Date:** 01/06/2012
Decision Type Permitted **Decision Date:** 14/06/2012
Location: Friernhay Court, Friernhay Street, Exeter, EX4 3AR
Proposal: Replacement windows to all flats

Application Number: 12/0355/14 **Working Party Date:** 26/03/2012
Decision Type Permitted **Decision Date:** 21/06/2012 COM
Location: 19-20 Red Cow Village, Exeter, EX4
Proposal: Demolition of cottages

Application Number: 12/0680/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: 190-191 High Street, Exeter, EX4 3DU
Proposal: Alteration to remove timber slats on front elevation, remove flower beds at rear and sliding doors at rear reduced to single. Non-material minor amendment to Planning Permission Ref No. 11/2025/03 granted: 07/02/2012

Application Number: 12/0732/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: Exeter Picture House, 51 Bartholomew Street West, Exeter, EX4 3AJ
Proposal: Tree no Species Works
T1 Maple Crown lift by a minimum of 3m over adjacent building
Crown lift by a minimum of 2.5m over parking area

Application Number: 12/0713/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 28/06/2012
Location: The Palace, Palace Gate, Exeter, EX1 1HY
Proposal: Tree no Species Works
T1 Luccombe Oak Fell

Application Number: 11/1854/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 249 High Street, Exeter, EX4 3PZ
Proposal: Internally illuminated projecting sign on south east elevation

Application Number: 12/0727/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 03/07/2012 DEL
Location: 60 South Street, Exeter, EX1 1EE
Proposal: Non illuminated fascia sign and hanging sign on north east elevation

Application Number: 12/0728/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 03/07/2012 DEL
Location: 60 South Street, Exeter, EX1 1EE
Proposal: Non illuminated fascia sign and hanging sign on north east elevation

Application Number: 12/0614/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 1-44 Mount Dinham, Exeter, EX4 4EG
Proposal: Communal satellite and aerial system installed on 5/6, 23/24 and 41/42

Application Number: 12/0746/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 1-44, Mount Dinham, Exeter, EX4 4EG
Proposal: Communal satellite and aerial system installed on 5/6, 23/24 and 41/42

Application Number: 12/0463/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 1 Princesshay Garden Apartments, Dix's Field, Exeter, EX1 1GR
Proposal: Replacement of balcony windows with bi-fold doors on the south elevation

Application Number: 12/0525/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 50 Queen Street, Exeter, EX4 3SR
Proposal: Non illuminated fascia sign

Application Number:	12/0650/07	Working Party Date:	
Decision Type	Permitted	Decision Date:	06/07/2012 DEL
Location:	2 Broadgate, Exeter, EX1 1HF		
Proposal:	Three non illuminated fascia signs, two externally illuminated projecting signs, one internally illuminated menu box, one internally illuminated take away sign, one internally illuminated window display menu, one non illuminated wall mounted roundel and two frosted vinyls		
Application Number:	12/0651/05	Working Party Date:	
Decision Type	Permitted	Decision Date:	06/07/2012 DEL
Location:	2 Broadgate, Cathedral Yard, Exeter, EX1 1HF		
Proposal:	Three non illuminated fascia signs, two externally illuminated projecting signs, one internally illuminated menu box, one internally illuminated take away sign, one internally illuminated window display menu, one non illuminated wall mounted roundel and two frosted vinyls		
Application Number:	12/0717/03	Working Party Date:	
Decision Type	Permitted	Decision Date:	06/07/2012 DEL
Location:	4 Princesshay Garden Apartments, Dix's Field, Exeter, EX1 1GR		
Proposal:	Replacement of balcony windows with bi-fold doors on south elevation		
Application Number:	12/0993/05	Working Party Date:	
Decision Type	Permitted	Decision Date:	10/07/2012 DEL
Location:	Exeland House, Tudor Street, Exeter, EX4 3BR		
Proposal:	Individual letters and logo sign on front elevation and advertising board on forecourt boundary		
Application Number:	12/0520/07	Working Party Date:	
Decision Type	Permitted	Decision Date:	11/07/2012 DEL
Location:	50 Queen Street, Exeter, EX4 3SR		
Proposal:	Non illuminated fascia sign on north east elevation		
Application Number:	12/0533/07	Working Party Date:	
Decision Type	Permitted	Decision Date:	14/06/2012 DEL
Location:	Church House, Palace Gate, Exeter, EX1 1HX		
Proposal:	Steel ties within existing wall and numerous repairs		

Application Number: 12/0569/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/06/2012
Location: 10 Little Silver, Exeter, EX4 4HU
Proposal: Ground floor extension on the north west elevation.

Application Number: 12/0570/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/06/2012
Location: 10 Little Silver, Exeter, EX4 4HU
Proposal: Ground floor extension with rooflight on the north west elevation and associated internal alterations.

Application Number: 12/0676/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/06/2012
Location: Rear of 44-55 Queen Street, Exeter, EX4
Proposal: Tree no Species Works
 T1&T2 Sycamore Fell

Application Number: 12/0508/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 15/06/2012
Location: 5 Colleton Crescent, Exeter, EX2 4DG
Proposal: Restore to a single dwelling making good internal features on all floors and associated works, repair boundary wall between Nos.5 and 6 Colleton Cresc.

Application Number: 12/0513/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 15/06/2012
Location: The Annexe, 5 Colleton Crescent, Exeter, EX2 4DG
Proposal: Refurbishment and internal alterations.

Application Number: 12/0371/03 **Working Party Date:** 06/06/2012
Decision Type Permitted **Decision Date:** 20/06/2012 DEL
Location: Alfarid Restuarant, 3 Cathedral Yard, Exeter, EX1 1HJ
Proposal: Change of use of pavement and road to provide outdoor tables and chairs for cafe.

Application Number: 12/0354/03 **Working Party Date:** 26/03/2012
Decision Type Permitted **Decision Date:** 21/06/2012 COM
Location: Former Red Cow Inn & 19-20, Red Cow Village, Exeter, EX4
Proposal: Two storey and two and a half storey blocks to provide 10 student flats, cycle and bin stores and associated works

ST JAMES

Application Number: 12/0434/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 32 Sidwell Street, Exeter, EX4 6NT
Proposal: Fire escape door at first floor on north east elevation

Application Number: 12/0634/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 29/06/2012 DEL
Location: 12 Sidwell Street, Exeter, EX4 6NN
Proposal: Internally illuminated fascia sign, internally illuminated projecting sign and vinyls on south east elevation and internally illuminated fascia sign on south west elevation

Application Number: 12/0776/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 58 Victoria Street, Exeter, EX4 6JQ
Proposal: Ground floor extension on north east elevation

Application Number: 12/0807/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 05/07/2012 DEL
Location: 2 West Avenue, Exeter, EX4 4SD
Proposal: Fell minimum 2no. overgrown privet shrubs in North East corner of rear garden.

Application Number: 12/0535/05 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 15/06/2012
Location: Unit 4, 23 Longbrook Street, Exeter, EX4 6AD
Proposal: Non-illuminated fascia sign on south elevation

Application Number: 12/0612/07 **Working Party Date:**
Decision Type Refuse Planning Permission **Decision Date:** 15/06/2012
Location: Unit 4, 23 Longbrook Street, Exeter, EX4 6AD
Proposal: Non-illuminated fascia sign on south elevation

Application Number: 12/0272/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 18/06/2012
Location: 33-55 Culverland Road, Exeter, EX4 6JJ
Proposal: Discharge of Condition 4 to Planning Permission Ref No. 09/1786/02 granted: 03
02 2010

Application Number: 11/1191/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/06/2012
Location: Former Tennis Courts, Bishop Blackall Annexe, Thornton Hill, Exeter, EX4
Proposal: Discharge of Conditions 5, 12 and 17 for Planning Permission Ref No.
10/1533/03 granted 04/11/2010

ST LEONARDS

Application Number: 12/0657/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/06/2012 DEL
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS
Proposal: Netball / Tennis Court in the south east area of the site

Application Number: 12/0710/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 21/06/2012 DEL
Location: Exeter School, Victoria Park Road, Exeter, EX2 4NS
Proposal: Extension to tennis changing rooms on east elevation

Application Number: 12/0248/03 **Working Party Date:** 01/05/2012
Decision Type Permitted **Decision Date:** 26/06/2012 DEL
Location: Magdalen House, 54/56, Magdalen Road, Exeter, EX2 4TL
Proposal: Change of use from office to two dwellings, erection of a terrace of three
dwellings, parking and associated work

Application Number: 12/0278/14 **Working Party Date:** 01/05/2012
Decision Type Permitted **Decision Date:** 26/06/2012 DEL
Location: Magdalen House, 54/56, Magdalen Road, Exeter, EX2 4TL
Proposal: Demolition of office extensions

Application Number: 12/0718/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: 5 Lyndhurst Road, Exeter, EX2 4PA
Proposal: Replacement doors on north west elevation

Application Number: 12/0689/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 02/07/2012 DEL
Location: 16 Magdalen Road, Exeter, EX2 4SY
Proposal: Discharge of Conditions Planning Permission Reference No 10/2011/03 & 11/1884/03 and Listed Building Consent Reference No. 10/2012/07 & 11/1885/07

Application Number: 12/0580/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 03/07/2012 DEL
Location: 4 Magdalen Road, Exeter, EX2 4SY
Proposal: Repositioning of brick piers to increase width of entrance by 0.8m.

Application Number: 12/0841/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 62 Magdalen Road, Exeter, EX2 4TN
Proposal: Tree No Species Work
T1 Mulberry Reduce crown by 1m to previous points

Application Number: 12/0843/06 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 12 Barnardo Road, Exeter, EX2 4NE
Proposal: Tree No. Species Works
T1 Ornamental Cherry Fell due to size compared to garden and close
location to house. Replace with Miniature Cherry

Application Number: 12/0712/04 **Working Party Date:** 04/07/2012
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 1 Blackmore Mews, Exeter, EX2 5SA
Proposal: Tree No Species Works
 T1 Cider Gum Fell
 T2 Common Ash Removal of branches over 2m in length, pruning cuts
 of 40mm .
 Removal of primary limb growing towards house
 pruning cut of 80mm .

Application Number: 12/0617/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: The Ballroom, Clyst Heath, Exeter, EX2 7EY
Proposal: Replacement windows in apartments 5 and 8

Application Number: 12/0782/26 **Working Party Date:**
Decision Type Raise No Objection **Decision Date:** 15/06/2012
Location: Clyst Heath Nursery and Community Primary School, Royal Crescent, Exeter,
EX2 7QT
Proposal: Single storey extension to existing primary school (Non Material Minor
Amendment for planning application 11/0977/26 approved 20 July 2011)

ST THOMAS

Application Number: 12/0598/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012 DEL
Location: Wylie House, Alphington Street, Exeter, EX2 8AT
Proposal: Window on east elevation

Application Number: 12/0027/03 **Working Party Date:** 01/05/2012
Decision Type Refuse Planning Permission **Decision Date:** 29/06/2012 DEL
Location: 28 Manor Road, Exeter, EX4 1EN
Proposal: Additional flat within roof space in approved and implemented scheme for 8 flats.

Application Number: 12/0440/03 **Working Party Date:** 01/05/2012
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 8 & 8B Okehampton Place, Exeter, EX4 1AY
Proposal: Development to provide a two storey building comprising four flats, bin storage
and associated works

Application Number: 12/0656/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 52 Okehampton Road, Exeter, EX4 1EP
Proposal: Ground floor extension on north elevation

Application Number: 12/0624/05 **Working Party Date:**
Decision Type Permitted **Decision Date:** 14/06/2012 DEL
Location: 36 Cowick Street, Exeter, EX4 1AW
Proposal: Non illuminated fascia sign and hanging sign on north west elevation

Application Number: 12/0488/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 20/06/2012 DEL
Location: 108 Wardrew Road, Exeter, EX4 1EZ
Proposal: Ground floor extension on east elevation

TOPSHAM

Application Number: 12/0685/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012
Location: 35 The Strand, Topsham, Exeter, EX3 0AY
Proposal: Reinstatement of four windows on south elevation, and internal alterations at ground and first floor

Application Number: 12/0912/32 **Working Party Date:**
Decision Type Permitted **Decision Date:** 27/06/2012 DEL
Location: Rear of 33-35 Southbrook Road, Exeter, EX2 6JA
Proposal: Discharge of condition 3 to Planning Permission Ref No: 10/1944/03 granted 26-01-2011

Application Number: 11/2006/03 **Working Party Date:** 02/05/2012
Decision Type Permitted **Decision Date:** 29/06/2012 COM
Location: 19 The Strand, Topsham, Exeter, EX3 0AS
Proposal: Demolish existing and rebuild summer house and garage in estuary garden.

Application Number: 12/0655/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: Nail Cellars, Ferry Road, Topsham, Exeter, EX3 0JH
Proposal: Installation of platform lift and stair lift to 2nd floor

Application Number: 12/0811/37 **Working Party Date:**
Decision Type Permitted **Decision Date:** 06/07/2012 DEL
Location: 10 Towerfield, Topsham, Exeter EX3 0BZ
Proposal: Alterations to increase length of extension by 15cm and width by 30cm
(Non-material minor amendment to Planning Application Ref No. 11/0673/03
granted: 13 06 2011)

Application Number: 12/0981/06 **Working Party Date:**
Decision Type Withdrawn by Applicant **Decision Date:** 10/07/2012
Location: Oxford Orchard, Monmouth Avenue, Topsham, Exeter, EX3 0AF
Proposal: Tree Species Works
T1 Mulberry Reduce all limbs to within 8ft of base

Application Number: 12/0757/03 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 11 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Wall with railings on south boundary

Application Number: 12/0758/07 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 11 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Wall with railings on south boundary

Application Number: 12/0783/18 **Working Party Date:**
Decision Type Permitted **Decision Date:** 11/07/2012 DEL
Location: 3 Denver Close, Topsham, Exeter, EX3 0NB
Proposal: Window on north west elevation (Certificate of lawfulness of proposed
development)

Application Number: 12/0740/16 **Working Party Date:** 02/07/2012
Decision Type Permitted **Decision Date:** 04/07/2012
Location: 10 Brookway, Exeter, EX1 3JJ
Proposal: Infilling of first floor balcony on west elevation

Application Number: 12/0584/01 **Working Party Date:** 01/06/2012
Decision Type Permitted **Decision Date:** 10/07/2012 COM
Location: Land between Ringswell Avenue and Ribston Avenue, Exeter, EX1 3EG
Proposal: Demolition of former school buildings, erection of Academy for Deaf Education with associated residential accommodation, open space, car parking and landscaping (All matters reserved for future consideration apart from access)

Application Number: 11/1619/01 **Working Party Date:** 14/11/2011
Decision Type Permitted **Decision Date:** 19/06/2012 COM
Location: Land south of Met Office, FitzRoy Road, Exeter, EX1
Proposal: Outline planning permission to erect a mixed use development comprising B1, B8, D1, D2, C1, A1, A3, A4 and A5 uses (means of access to be determined only)

Total Number of Decisions Made: **121**

Local Government (Access to Information) 1985 (as amended)

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

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EXETER CITY COUNCIL

PLANNING COMMITTEE 23 July 2012

ENFORCEMENT PROGRESS REPORT

1.0 PURPOSE OF REPORT

1.1 To update Members on enforcement matters.

2.0 CASES OPENED AND CLOSED BETWEEN 30 APRIL 2012 AND 3 July 2012.

Cases opened: 6

Cases closed: 13

Outstanding number of cases: 71

3.0 NOTICES ISSUED

3.1 None

4.0 NOTICES COMPLIED WITH

4.1 None.

5.0 CURRENT APPEALS

5.1 None.

6.0 ENFORCEMENT APPEAL DECISIONS

6.1 ENF/11/20 – Chunky Monkey, Weircliffe Park, St Andrew Road, Exeter – Enforcement Notice concerning the material change of use of part of the Premises from use for (or incidental to) industrial/workshop purposes to use as a single dwelling (with associated garden area) occupied for residential purposes. The notice was to take effect on 30th November 2011 and gave a period of 12 months for compliance. An appeal against the notice was lodged last year and was dealt with by written representations.

6.2 The appeal was decided on 26 June 2012. The Planning Inspector referred to Paragraph 14 of the NPPF which set out a presumption in favour of sustainable development. The Inspector considered the premises to be a live-work unit which in many respects was a sustainable form of development in this location. It would help to sustain a novel employment generating business, which contributes to building a strong economy whilst helping to use resources prudently and minimise waste. However he considered the development was let down by the poor design of the buildings and hence the presumption could not apply because the scheme did not accord with relevant DP design policies, which are consistent with the NPPF.

6.3 Despite this he concluded that in the absence of a conflict with other DP Policies and having regard to the needs of both the business and the family, it was appropriate to grant a temporary planning permission. This would allow

consideration to be given to an enhanced design for the building whilst safeguarding the needs of both the business and family short term.

- 6.4 The appeal was allowed subject to conditions
- i) restricting the use to the appellants for a limited period of 3 years from the date of the decision, or the period during which the premises are occupied by the appellants, whichever is the shorter;
 - ii) requiring the submission, approval and implementation of a landscaping plan ; and
 - iii) removing “permitted development rights”.

7.0 OTHER ISSUES

- 7.1 None

8.0 RECOMMENDATION

- 8.1 That this report be noted.

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report: none.

EXETER CITY COUNCIL

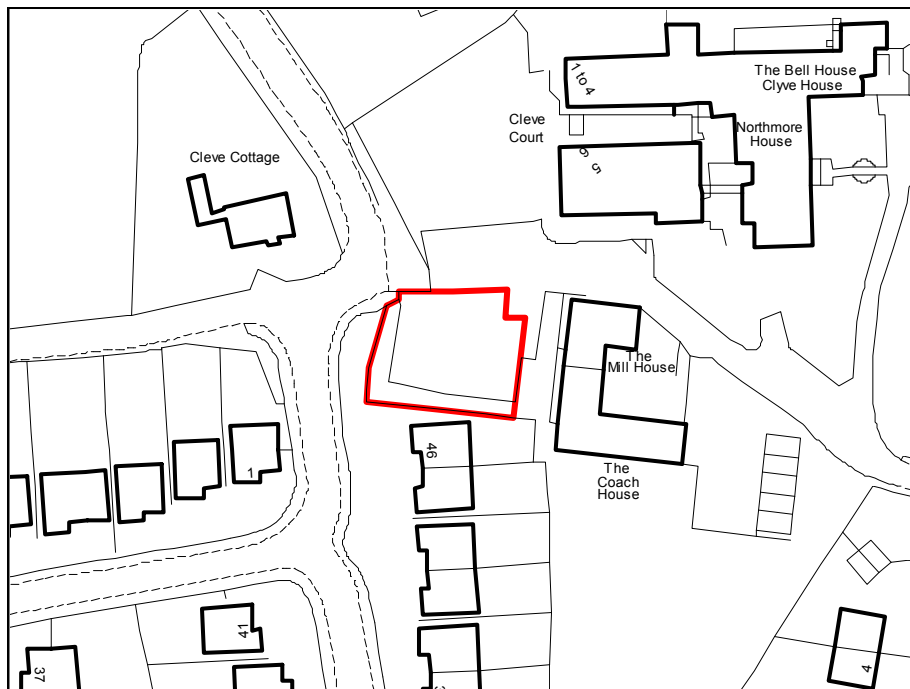
PLANNING COMMITTEE
23 JULY 2012

APPEALS

DECISIONS RECEIVED

SUMMARY: 6 appeal decisions have been received since the last report:
4 were dismissed and 2 were allowed subject to conditions.

**Plot F, Land to the West of The Coach House, Cleve Lane, Exwick, Exeter,
Devon, EX4 2AR.**



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Reference No: 11/1121/03

Proposal: Detached building comprising ground floor self-contained flat and maisonette over, parking and associated works without complying with conditions attached to planning permission 09/1229/03.

Application Decision: Delegated Refusal

Type of Appeal: Written representations

Appeal Decision: ALLOWED subject to conditions

Grounds:

The conditions in dispute were No. 2, which required compliance with the plans approved at that time, and No. 10, which required the first and second floor windows on the south elevation to be non-opening and obscurely glazed.

The main issue was whether the disputed conditions were necessary to secure a high standard of design and to preserve the setting of the nearby Grade II* listed building known as Cleve House.

The permitted three storey building is being built on part of the former car park to the Grade II listed Cleve House. The Inspector noted the variety in the type/style of windows in Cleve House and its curtilage buildings, including painted timber framed windows and some white UPVc framed windows in the main house. The permitted dwelling would be set apart from the listed building. He thought that its scale and design would be very different to the special qualities of Cleve House; it would neither compete with, nor disrupt, the setting of the listed building.

The proposed scheme would allow the appellants to use 'woodgrain effect' UPVc framed windows with top opening lights. Those in the south facing elevation would be opaque glazed to avoid overlooking. The appellants argued that this would provide greater security than the permitted stained timber framed windows, would afford better ventilation and reduce maintenance. The Inspector agreed with the Council that the same benefits could be obtained from using timber framed windows and doors. He also agreed that the type of the permitted windows, which would not have top opening lights and which would use natural products, would have a more pleasing and 'less fussy' appearance than what was proposed. However, that was not to say that the proposed development would be harmful.

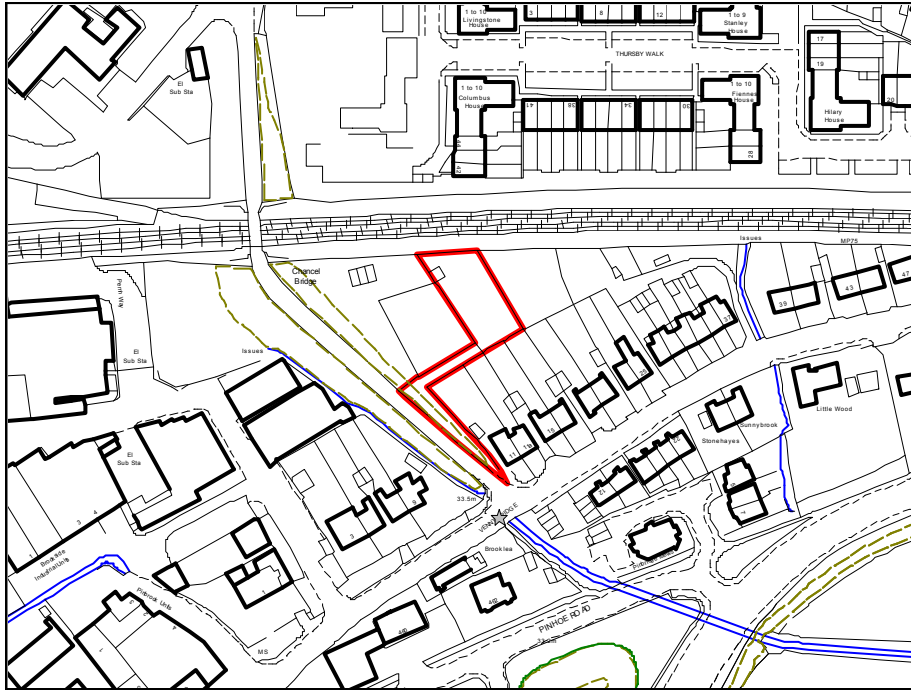
The Inspector was of the opinion that, provided 'woodgrain effect' windows were selected that did not have unduly wide frames and a bright sheen, these would be likely to appear as timber when seen from the public realm. The use of this modern material and the style of the windows would not significantly dilute from the contemporary design of the new building, which would continue to have a strong vertical emphasis. These variations in the design would not harm the ability to appreciate the significance of Cleve House as a heritage asset.

The Inspector concluded that the disputed conditions were not necessary to secure a high standard of design and to preserve the setting of Cleve House.

The appeal was allowed and planning permission granted without compliance with condition numbers 2 and 10 previously attached to planning permission 09/1229/03, of 15 October 2009, and subject to new conditions requiring compliance with the revised drawings and the submission and approval of details of the UPVc windows and doors.

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15 Venny Bridge, Pinhoe, Exeter EX4 8JX



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Reference No: 11/1314/03

Proposal: Erection of a new dwelling.

Application Decision: Delegated Refusal

Type of Appeal: Written representations

Appeal Decision: DISMISSED

Grounds:

The main issues were the effect on

- i) the character and appearance of the area;
- ii) nature conservation interests;
- iii) the living conditions of the occupiers of 11 Venny Bridge.

Character and appearance

The appeal site is a large extended garden to the rear of 15 Venny Bridge with an access track which begins at the corner of Venny Bridge and Chancel Lane. The area is of mixed residential and commercial character. The Inspector noted that the residential development along Venny Bridge has a strong building line and rhythm with the majority being semi-detached properties.

While there was space on the plot and good separation to nearby properties, the Inspector agreed with the Council that a detached dwelling in this location would

appear isolated in this backland area and unrelated to the other built forms. He considered there to be a cohesive quality to the frontage development along Venny Bridge that would be undermined by the introduction of a dwelling here, particularly one so open to views from Chancel Lane and surrounding properties.

The Inspector considered the design as a whole appeared unremarkable, and only seemed to respond to the site in limiting views to the side and promoting them to the rear. This resulted in an incongruous asymmetric profile which would be seen from the overview of the site from Chancel Lane.

Although there were a examples of development contrary to established building lines in the area many of these appeared to have been infill or backland development. The Inspector pointed out that weight in favour of garden development had diminished in recent years.

The Inspector concluded that a single isolated dwelling of this design and in this location would result in harm to the character and appearance of the area, contrary to development plan policies.

Nature Conservation

In respect of the protection of internationally designated species and habitats, to which the NPPF affords special importance, the Inspector noted that Core Strategy Policy CP16 set out the Council's policy to seek contributions from new development that was likely to have a significant effect on a group of internationally designated sites that surround the city. A particular concern was the additional recreational pressures that may be generated on such sites by new housing development.

The Inspector was advised that, In advance of the development of a full mitigation strategy, the Council had introduced an interim approach that required a financial contribution of £350 per dwelling towards mitigation measures. In the absence of such compensation, the City Council required an appropriate assessment to be made under Regulation 61 of the Habitats and Species Regulations 2010 for each individual development site. In the absence of any such payment being made or assessment being undertaken, the City Council had concluded that planning permission should not be granted.

The appellant asserted that no need for an assessment had been demonstrated and that an interim approach to mitigation should not apply. The Inspector did not agree. He was satisfied that, in light of the conclusions of the Council's HRA, this development should have properly considered the designated sites. In the absence of a formal appropriate assessment or mitigation, he concluded that it conflicted with CS Policy CP16.

Living Conditions

Although the new dwelling would increase activity along the existing access track, the Inspector considered that any increase in noise and disturbance would be negligible. Accordingly, he did not consider that the proposal would conflict with Local Plan Policy DG4.

Application for an award of costs

DISMISSED

The appellant submitted a costs application suggesting that the Council had been unreasonable in their demand for evidence or a monetary contribution regarding the

European designated sites without an appropriate mechanism by which to do so, and that they had failed to substantiate part of their reasons for refusal with sufficient evidence.

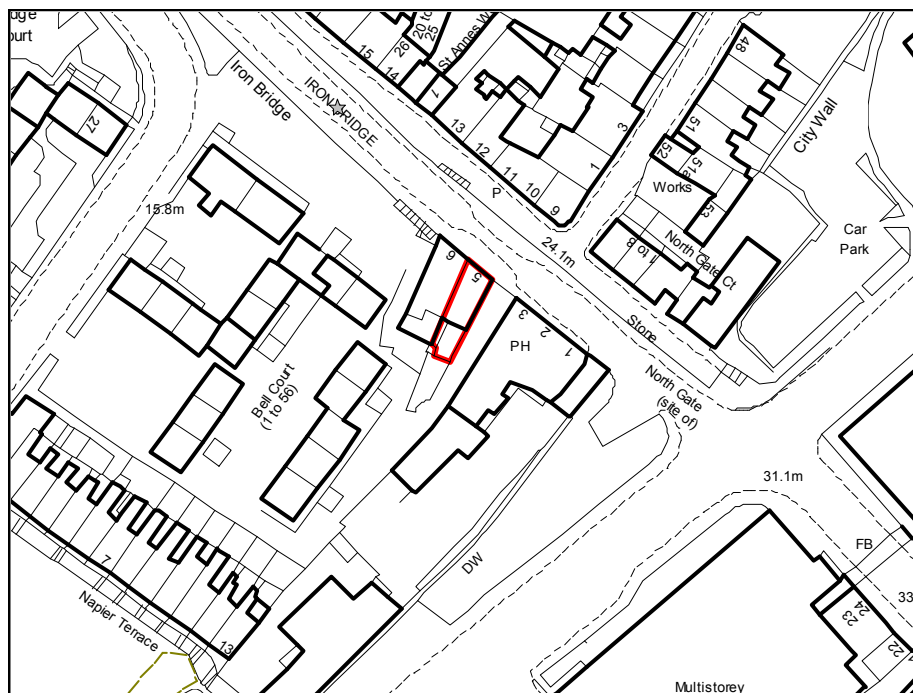
The Inspector found that following the Council's Habitat Regulation Assessment, which identified a threat from recreational pressure from new housing, the Council was entitled to require new development to address impact on the protected European sites. He did not consider that the Council were unreasonable in seeking an individual assessment or mitigation in accordance with the approach developed.

The appellant's claim that the Council had not fully assessed the character of the area was also rejected by the Inspector. He considered the Council had been specific in its concerns as regards the harm to the area, had provided an objective analysis, and in their appeal statements dealt with the design, the setting and the impact of the scheme.

He therefore found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated.

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5 Iron Bridge, Exeter, Devon, EX4 3RB.



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Reference Nos: 11/1704/07 (Appeal A)
11/1707/03 (Appeal B)

Proposals: Appeal A: Listed building consent application for conversion of basement store to living accommodation by forming a new 1 bedroom apartment.
Appeal B: Planning application for conversion of the basement store to an apartment

Application Decisions: Delegated Refusal

Types of Appeal: Written representations

Appeal Decision: **Appeal A: ALLOWED subject to conditions**
Appeal B: DISMISSED

Grounds:

The Inspector noted that in August 2007, planning permission and listed building consent were granted to convert the basement of this Grade II listed property into a flat (07/1514/03 and 07/1442/07). That scheme was not implemented and the permissions lapsed. In 2010, the Council adopted its '*Residential Design*' SDP and at the beginning of 2012 its Core Strategy (CS). The Inspector agreed that these were important material changes since August 2007. In addition, in 2012 the NPPF was published.

The three main issues were whether the proposals would: preserve the special character of the building and preserve or enhance the character or appearance of the St. David's Conservation Area [both appeals]; provide adequate living conditions for occupiers of the proposed apartment, having particular regard to internal space, lighting and external amenity space [appeal B only] and; be likely to harm nature conservation interests, having particular regard to the Exe Estuary Special Protection Area (SPA) and Ramsar Site [appeal B only].

Listed Building/Conservation Area

The Inspector noted that the Council's Conservation Area Appraisal and Management Plan identifies 5 and 6 Iron Bridge and the 19th century terrace on the opposite side of Iron Bridge, as making a positive contribution to the character and appearance of the Conservation Area.

The Inspector considered that the proposal would secure the re-use of the basement and ensure that this part of the building did not fall into disrepair. He thought that the proposed works and the new use of this part of the building would respect the special qualities of the listed building and add to the vibrancy of the CA. He concluded that listed building consent should not be withheld.

Living Conditions

The gross internal floor area of the proposed apartment would be less than the 50m² (one bedroom two person flat) standard within the Council's SPD. The Inspector agreed with the Council that the submitted drawings showed constrained living accommodation and very limited storage space. He also noted the gloomy living conditions in the existing lower ground floor unit and the shadow cast across part of the site from a Sycamore tree growing alongside. No details had been provided to show that there would be adequate levels of natural light within the new apartment. He considered that incoming residents would be unlikely to feel particularly at ease and comfortable within their home.

The Inspector concluded on this issue that the proposal would fail to provide adequate living conditions (internal space and natural light) for occupiers of the proposed apartment.

Nature Conservation

In respect of the protection of internationally designated species and habitats, to which the NPPF affords special importance, the Inspector noted that Core Strategy Policy CP16 set out the Council's policy to seek contributions from new development that was

likely to have a significant effect on a group of internationally designated sites that surround the city. A particular concern was the additional recreational pressures that may be generated on such sites by new housing development.

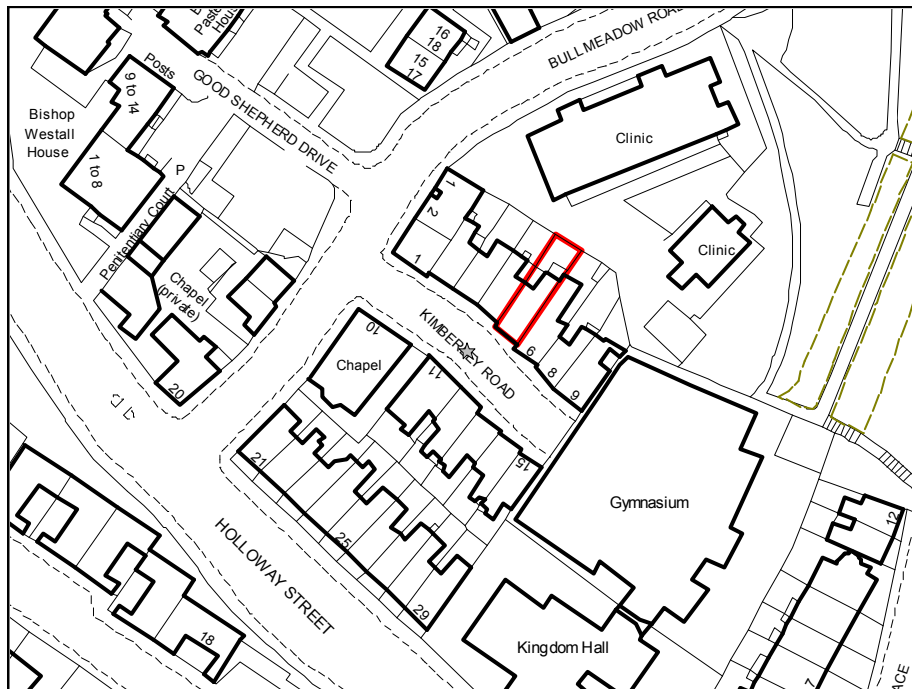
The Inspector was advised that, In advance of the development of a full mitigation strategy, the Council had introduced an interim approach that required a financial contribution of £350 per dwelling towards mitigation measures. In the absence of such compensation, the City Council required an appropriate assessment to be made under Regulation 61 of the Habitats and Species Regulations 2010 for each individual development site. In the absence of any such payment being made or assessment being undertaken, the City Council had concluded that planning permission should not be granted.

The appellant argued that the site was some distance from the SPA and Dawlish Warren and that an additional dwelling in this location would not impact upon important nature conservation interests. The Inspector did not agree. He agreed with the Council that the proposal, in combination with other such developments likely to take place within Exeter, and without any effective mitigation, would be likely to harm the integrity of the Exe Estuary SPA.

Appeal A was allowed and listed building consent granted subject to conditions requiring implementation within 3 years, compliance with the approved plans and the submission and approval of various matters including details of the window frames; roofing materials, rainwater goods and bicycle parking facilities.

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Reference No: 12/0150/03

Proposal: Rear dormer window.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issue was the effect of the development on the character and appearance of the host building and of the Southernhay and The Friars Conservation Area.

The appeal property is a mid-terrace two-storey house dating from the early 20th century. The Inspector noted that the rear roof plane was essentially unaltered, so that it had a pleasing and homogeneous appearance. It is located in the Southernhay and The Friars Conservation Area, characterised in this locality by Edwardian terraces. The terrace is identified as making a positive contribution to its character and appearance.

The proposed rear dormer would have a flat roof and would extend across most of the rear roofplane of the property. It would be set just below the ridge.

The rear elevation of the terrace is visible from Bull Meadow Road, in views across the car park of the clinic. The Inspector agreed with the Council that the proposed dormer would be prominent and would appear bulky and intrusive. It would adversely affect the uncluttered appearance of the rear roof plane. He also noted the absence of other dormers on the rear roof plane of the terrace. He considered that if the development were to be permitted, it would set a precedent for similar dormers elsewhere in the terrace, and the cumulative harm would further erode the value of the terrace within the Conservation Area.

The Inspector concluded that the proposed development would harm the character and appearance of the host dwelling and the terrace of which it is part. It would neither preserve nor enhance the character or the appearance of the Conservation Area. It would be contrary to CS Policy CP17 ELP policies C1 and DG1 and the Council's *Householder's Guide SPD*. The harm identified outweighed the benefits which would arise from the provision of additional living accommodation at the property.

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63 Iolanthe Drive, Exeter EX4 9DZ



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Reference No: 12/0181/03

Proposal: Removal of existing garage. Two storey extension providing additional space for new larger family additions. Rework front patio into a raised car port.

Application Decision: Delegated Refusal

Type of Appeal: Householder

Appeal Decision: DISMISSED

Grounds:

The main issue was the effect of the proposed two-storey extension on the character and appearance of the area.

The appeal property is a semi-detached dwelling within a row of similar properties. The Inspector noted the regimented appearance to this part of the street scene that was determined by the uniformity of the architecture and the gaps at first floor level between the pairs of semi-detached dwellings. He agreed with the Council that the existing gap at first floor between the appeal property and No 65 contributed to the overall rhythm and spacing of these properties and was an important feature to the street scene and wider character of the area.

Although the proposed extension would be set away from the side boundary with No 65 by the width of a narrow pedestrian access, it would fill the majority of the space at first floor level above the original garage to the appeal property. Due also to the fact that the

extension would appear as a continuous projection to the side of the existing building, disrupting the symmetrical proportions between the semi-detached pair, it would have a noticeable presence within the street scene. The Inspector considered that, as a consequence the proposal would significantly reduce the overall gap between the 2 properties to a separation that would be atypical when compared with the others within the row. As such, it would fail to respect the rhythm and spacing between the properties along this part of Iolanthe Drive. This would be contrary to ELP Policy DG1, DSP Policy CO6 and CS Policy CP17.

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APPEALS LODGED

Application	Proposal	Start Date	Received Date
12/0554/03 25 Exe Vale Road, Exeter, EX2 6LF	Two storey extension on northeast elevation and ground floor extension on north west elevation.	15/06/2012	15/06/2012

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report: -

Letters, application files and appeal documents referred to in report.

Available for inspection from: -

City Development, Civic Centre, Paris Street, Exeter (01392) 265223